

PLANNING COMMISSION

MEETING OF

JULY 12, 2001

City of Las Vegas

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

5:30 PM

COMMISSIONERS BRIEFING:

PRESENT:

Craig Galati - Chairman
Richard Truesdell - Vice Chairman
Michael Buckley
Byron Goynes
Lanny Littlefield
Laura McSwain
Stephen Quinn

STAFF PRESENT:

Robert Genzer – Planning & Development Dept.
John Koswan - Planning & Development Dept.
Chris Glore - Planning & Development Dept.
Andrew Reed - Planning & Development Dept.
Troy Jeschke – Planning & Development Dept.
Sean Robertson – Planning & Development Dept.
Scott Albright - Planning & Development Dept.
Gary Leobold - Planning & Development Dept.
Bart Anderson - Public Works
Qiong Liu – Public Works
Bryan Scott - City Attorney's Office
Deeny Araujo – City Clerk's Office
Linda Owens - City Clerk's Office

Andrew Reed, Planning and Development Department, called the Briefing to order at 5:33 P.M.

Item No. A-1, VAC-0003-00(1):

Mr. Reed announced that the applicant has requested this item be pulled off the consent agenda and heard in conjunction with Item Nos. B-18 through B-20.

Item No. B-2, GPA-0009-01:

Mr. Reed advised that this item should be moved back on the agenda so that it may be heard with Item Nos. B-23 through B-25.

Item Nos. B-3, Z-0035-01, B-4, V-0032-01 and B-5, U-0064-01:

Deputy City Attorney Bryan Scott said the applicant is still asking for R-1 rather than an R-PD in this development.

Item No. B-6, V-0008-01:

Mr. Reed explained that this is a pole sign for the Tech Park. It has been held in abeyance several times.

Item No. B-7, U-0062-01:

Mr. Reed noted that this item was held in abeyance from the June 14, 2001 Planning Commission meeting where the applicant was directed by the Commission to provide additional information. As of 4:30 P.M. today, no additional information has been submitted.

Item No. B-9, SD-0025-01:

Mr. Reed stated that Councilman Weekly's office has asked that, if this request is approved, the applicant be encouraged to work with surrounding property owners to resolve some issues.

Town Center Standards:

Scott Albright, Planning and Development, said that at the last meeting a presentation was made in regard to Town Center Development Standards. There were concerns raised from some of the residents. Staff has met with those residents and satisfied their concerns so those standards and are ready to proceed to the City Council. Chris Glore added that there are some minor issues that still need to be resolved prior to the City Council meeting.

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COMMISSIONERS BRIEFING:

Robert Genzer, Planning and Development, said there is a convenience store operator who thinks he has gotten around selling single cans of beer. Staff will be sending him a letter to cease or he will have to go before the City Council. The standard beer and wine condition will have to be amended so the cans cannot be sold differently than the way they come from the manufacturer.

In regard to the chicken processing request on this application, the applicant should advise staff on the conditions and they will draft a Text Amendment.

Mr. Reed adjourned the Briefing at 5:50 P.M.

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ACTION

6:00 PM

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

CALL TO ORDER:

6:00 P.M., Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada.

ROLL CALL:

Craig Galati	Present
Chairman	
Richard Truesdell	Present
Vice Chairman	
Michael Buckley	Present
Byron Goynes	Present (Excused 10:13)
Lanny Littlefield	Present (Excused 8:37)
Laura McSwain	Present
Stephen Quinn	Present

ANNOUNCEMENT:

Satisfaction of Open Meeting Law Requirements.

This meeting has been properly noticed and posted at the following locations:

Clark County Government Center,
500 South Grand Central Parkway
Senior Citizens Center,
450 East Bonanza Road
Clark County Courthouse,
200 East Carson Avenue
Court Clerk's Office Bulletin Board,
City Hall Plaza
City Hall Plaza, Special Outside Posting
Bulletin Board

MINUTES:

Approval of the minutes of the June 14, 2001 Planning Commission meeting.

CHAIRMAN GALATI called the meeting to order at 6:00 P.M. He welcomed new COMMISSIONER LAURA McSWAIN.

COMMISSIONER LITTLEFIELD announced that he will be resigning from the Planning Commission as he has moved to the City of Henderson, Nevada.

STAFF PRESENT:

Robert Genzer, Director,
Planning and Development Department
Chris Glore, Planning Supervisor,
Planning and Development Department
John Koswan, Planning Manager,
Planning and Development Department
Andrew Reed, Senior Planner,
Planning and Development Department
Troy Jeschke, Planner II,
Planning and Development Department
Sean Robertson, Planner II,
Planning and Development Department
Scott Albright, Senior Planner,
Planning and Development Department
Gary Leobold, Senior Planner,
Planning and Development Department
Bart Anderson, Project Engineer,
Public Works
Qiong Liu, Engineer,
Public Works
Bryan Scott, Deputy City Attorney,
City Attorney's Office
Deeny Araujo, Deputy City Clerk,
City Clerk's Office
Linda Owens, Deputy City Clerk,
City Clerk's Office

CHAIRMAN GALATI announced this meeting is in compliance with the Open Meeting Law.

Truesdell -

APPROVED

Motion carried with Littlefield and McSwain abstaining due to the fact they did not attend the meeting.

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ACTION

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

CHAIRMAN GALATI indicated the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

CHAIRMAN GALATI read the statement on the order of the items and limitations on persons wishing to be heard on an item.

CHAIRMAN GALATI noted the Rules of Conduct.

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ACTION

A.

CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

NOTE: CHAIRMAN GALATI announced at the beginning of the meeting that Item No. A-1 would be discussed when Item Nos. B-18, B-19 and B-20 are heard.

A-1.

ABEYANCE - VAC-0003-00(1) - W. M. LAND DEVELOPMENT

Request for an Extension of Time on an approved Vacation that vacated a portion of Del Rey Avenue generally located between Buffalo Drive and Tioga Way, Ward 1 (M. McDonald).

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Conformance to all applicable Conditions of Approval of Vacation (VAC-0003-00). *(Planning and Development)*

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. *(Planning and Development)*

3. All development shall be in conformance with code requirements and design standards of all City Departments. *(Planning and Development)*

4. The Order of Vacation shall not be recorded until all of the above conditions have been satisfied. *(Planning and Development)*

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or another Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted. *(Planning and Development)*

NOTICES MAILED N/A
APPROVALS 0
PROTESTS 0

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Motion carried with Littlefield excused.

CHAIRMAN GALATI stated this is a Consent item.

ROBERT GENZER, Planning and Development, said this is an application that was agreed upon with the neighbors. Staff feels this Vacation should be approved no matter what the eventual project is so he recommended approval.

NOTE: See Item Nos. B-18, B-19 and B-20 for related discussion.

This is final action.

(8:55 - 9:00) 2 - 2796

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ACTION

A-2.

TM-0067-00(1) - PLAZA COMMERCIAL CENTER PHASE II (A COMMERCIAL SUBDIVISION) - THE HOWARD HUGHES CENTER

Request for a Tentative Map Name Change FROM: PLAZA COMMERCIAL CENTER PHASE II, TO: HILLS CENTER BUSINESS PARK PHASE II for one lot on 12.86 Acres adjacent to the southeast corner of the intersection of Village Center Circle and Trails Center Drive, P-C (Planned Community) Zone, Ward 4 (Brown) and Ward 2 (L.B. McDonald).

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Site development to comply with all applicable Conditions of Approval for the original Tentative Map (TM-0067-00), the Rezoning (Z-0044-87), and the Major Modification (SV-0017-00) as required by the Department of Public Works and the Planning and Development Department.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -
APPROVED ITEM NOS. A-2 THROUGH A-6, SUBJECT TO STAFF'S CONDITIONS.
Unanimous

CHAIRMAN GALATI stated this is a Consent item.

This is final action.

(6:05 - 6:07) 1 - 140

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ACTION

A-3.

TM-0017-00(1) - RANCHO PINES SHOPPING CENTER (A COMMERCIAL SUBDIVISION) - LAS VEGAS RANCHO PARTNERS, LIMITED LIABILITY COMPANY

Request for an Extension of Time of an Approved Tentative Map for 1 lot on 3.89 Acres on the east side of Rancho Drive, approximately 250 feet north of Torrey Pines Drive, R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The Tentative Map shall expire on June 08, 2002, unless a Final Map is recorded on all or a portion of the area embraced by the Tentative Map.

2. Conformance to all previous Conditions of Approval for Rezoning Z-0002-96, Site Development Plan Review Z-0002-96(1), and all other subsequent site-related actions as required by the Department of Public Works and the Planning and Development Department.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -
APPROVED ITEM NOS. A-2 THROUGH A-6, SUBJECT TO STAFF'S CONDITIONS.
Unanimous

CHAIRMAN GALATI stated this is a Consent item.

This is final action.

(6:05 - 6:07) 1 - 140

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ACTION

A-4.

**TM-0024-00(1) - THE LODGE III - NEW HOMES
LIMITED LIABILITY COMPANY**

Request for an Extension of Time of an Approved Tentative Map for 84 lots on 18.84 acres on the southwest corner of Tropical Parkway and Decatur Boulevard, R-E (Residence Estates) Zone under Resolution of Intent to R-1(Single Family Residential), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. The Tentative Map shall expire on July 27, 2002, unless a Final Map is recorded on all or a portion of the area embraced by the Tentative Map.

2. Conformance to all previous Conditions of Approval for Rezoning Z-0026-00 and all other subsequent site-related actions as required by the Department of Public Works and the Planning and Development Department.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -
**APPROVED ITEM NOS. A-2 THROUGH A-6, SUBJECT TO
STAFF'S CONDITIONS.**
Unanimous

CHAIRMAN GALATI stated this is a Consent item.

This is final action.

(6:05 - 6:07) 1 - 140

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ACTION

A-5.

A-0044-01(A) - LORAIN MILANO

Petition to Annex property generally located approximately 700 feet south of Craig Road and 680 feet east of Puli Drive, APN: 137-01-301-010, containing approximately 5.0 Acres of land, Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

APPROVED ITEM NOS. A-2 THROUGH A-6, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

CHAIRMAN GALATI stated this is a Consent item.

To be forwarded to the City Council in Ordinance form.

(6:05 - 6:07) 1 - 140

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ITEM

ACTION

A-6.

A-0046-01(A) - MARTIN A. AND PAMELA D. WARBURTON, ET AL

Petition to Annex property generally located on the southwest corner of Log Cabin Way and El Capitan Way, APN's: 125-05-302-004, 005, and 007 through 015, containing approximately 29.50 Acres of land, Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -
APPROVED ITEM NOS. A-2 THROUGH A-6, SUBJECT TO
STAFF'S CONDITIONS.

Unanimous

CHAIRMAN GALATI stated this is a Consent item.

To be forwarded to the City Council in Ordinance form.

(6:05 - 6:07) 1 - 140

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ACTION

B.

PUBLIC HEARING ITEMS:

B-1.

ABEYANCE - TA-0016-01 - CITY OF LAS VEGAS

Discussion and possible action to amend the Town Center Development Standards Manual to add new and modify existing street cross sections, revise the signage standards, clarify landscaping standards, add Medium Low and Medium Low - Attached land use districts, add more illustrations, add uses to the Permitted Use Matrix, and include the map "Town Center Street Classifications", Ward 6 (Mack).

NOTICES MAILED NEWSPAPER ONLY
(6/28/01 PC)

APPROVALS 1 Speaker

PROTESTS 1 Speaker

STAFF RECOMMENDATION: It is recommended that the revised Town Center Development Standards attached be amended as follows:

Planning and Development

1. The text of the Development Standards pertaining to landscaping, signs, and streets should be modified to add clarity and reduce confusion.

2. The street cross sections for Town Center should be modified to add clarity and reduce confusion.

3. Map 4A, "Town Center Street Classifications", be added to the Development Standards to plan the street system in Town Center.

4. Add uses to the Development Standards that are appropriate in Town Center.

5. Revise the spacing requirements of and between uses where necessary.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

SCOTT ALBRIGHT, Planning and Development, stated this item was last presented to the Planning Commission at the June 28, 2001 meeting and was tabled. There were some issues with the residents that still needed to be addressed. Since that time staff met with the residents and made appropriate corrections to the document. The concerns were either typographical, in the use tables, or mandatory conditions to be imposed as part of the Special Use Permit process.

Staff is appreciative of the thoroughness and commitment a number of the Centennial Hills residents have shown toward the implementation of the Town Center concept and the creation of revised standards to guide its development. Their input was helpful in creating a reasonable and workable document that improves the City's ability to create a unique Town Center.

He recommended approval of this amendment to the Town Center Development Standards Manual.

CHAIRMAN GALATI declared the Public Hearing open.

LOUISE RUSKAMP, Northwest Network of Neighborhoods, 8500 Log Cabin Way, appeared in approval. She thanked staff for meeting with the residents.

JENNIFER LAZOVICH, Centennial Center, 3773 Howard Hughes Parkway, appeared in protest. She objected to the proposed standards and has some changes, but was unable to meet with staff prior to this meeting. She did not object to having action taken on this item as long as they can meet with staff prior to when this will be in Ordinance form.

CHAIRMAN GALATI declared the Public Hearing closed. He felt this is a revolving document.

COMMISSIONER TRUESDELL thought these changes being proposed are an improvement to this document. It is a document to meet the changing needs of that community.

To be forwarded to the City Council in Ordinance form.

(6:07 - 6:12) 1 - 180

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ITEM

ACTION

B-2.

ABEYANCE - GPA-0009-01 - STEVE KABOLI

Request to Amend a portion of the Southwest Sector of the General Plan FROM: R (Rural Density Residential) TO: SC (Service Commercial) for 1.5 Acres on the northeast corner of the intersection of Leonard Lane and Vegas Drive (APN: 138-24-803-028), Ward 5 (Weekly).

NOTICES MAILED 141 (4/26/01 PC)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL

Quinn -

APPROVED

Motion carried with Littlefield excused.

SCOTT ALBRIGHT, Planning and Development, stated Section 19A.18.030.i of the Zoning Ordinance requires four conditions be met in order to justify a General Plan Amendment. Those conditions are being met.

In 1999 the Nevada Legislature added to the revised Statutes Section 278.261 that legislated certain Low Density Residential neighborhoods based upon select criteria and created buffers surrounding Rural Preservation neighborhoods. Because of the recent removal of the dilapidated structure from the premises, the subject site is no longer part of the Rural Preservation neighborhood, but falls within the buffer area of such a neighborhood. The state law further indicates that within this buffer area the density may not exceed three dwelling units per acre unless good cause could be shown by the governing body to allow a greater density or intensity of use. Staff feels good cause exists based on existing land uses within the vicinity land use trends that have been occurring along the Vegas Drive corridor and the anticipated development in the immediate vicinity based upon policies established in the adopted Las Vegas 2020 Master Plan. Staff recommended approval.

KENNETH ERLANGER, KJE Consulting Engineers, 3514 East Tropicana Avenue, Suite 2, appeared to represent the applicant.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-23, B-24 and B-25 for related discussion.

To be heard by the City Council on August 15, 2001.

(10:02 - 10:13) 3 - 1799

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ACTION

B-3.

ABEYANCE - Z-0035-01 - PERMA-BILT HOMES

Request for a Rezoning FROM: U (Undeveloped) [R (Rural Density Residential) and L (Low Density Residential) General Plan Designations] TO: R-1 (Single Family Residential) on 15.28 Acres on the northeast corner of Elkhorn Road and Grand Canyon Drive (APN's: 125-18-801-009, 010 and 011), PROPOSED USE: SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Ward 6 (Mack).

NOTICES MAILED 73 (Mailed with V-0032-01 and U-0064-01)
(6/14/01 PC)

APPROVALS 0

PROTESTS 2 (1 inside notification area; 1 outside notification area)
(6/14/01 PC)
2 Speakers

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

- 1 A Resolution of Intent with a two-year time limit.
- 2 All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
- 3 Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
- 4 A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
- 5 All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

Goynes -

APPROVED, SUBJECT TO STAFF'S CONDITIONS AND AN ADDITIONAL CONDITION TO STATE THIS PROPERTY TO BE DEVELOPED AT A MAXIMUM OF 2.9 UNITS PER ACRE.

Motion carried with Galati voting NO.

ANDREW REED, Planning and Development, stated this density is compatible with the Rural Density Residential designation of the west portion of this site and the Low Density Residential designation of the east portion. The rezoning to R-1 (Single Family Residential) will allow this property to be developed in a manner that is consistent with the General Plan land use designations and thereby meets the future growth patterns. Staff recommended approval, subject to the conditions.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent the applicant. This item was heard 30 days ago and was held in abeyance because of some issues that came up at that meeting. This is a subdivision of 45 lots on approximately 15 acres, or 2.9 units per acre. It complies with the land use guide.

He requested Condition No. 1 be amended stating a Resolution of Intent with a two-year time limit stipulating this parcel be developed at 2.9 units per acre.

They do not want to have an R-PD development because then they would be required to provide open space. The homes will be in excess of \$300,000. When people live in homes in that price range they do not want to maintain a park. The residents prefer to develop their own yards.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. He wondered why there is a Variance request for the setbacks when the lots are so large.

BRIDGET SOLVIE, 1721 Neptune Drive, appeared in protest. She lives outside of the notification radius on a 65 foot by 100-foot lot. There should be open space in this development and more buffering. This affects her neighborhood.

CHAIRMAN GALATI declared the Public Hearing closed.

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ABEYANCE - Z-0035-01 - PERMA-BILT HOMES

6. The applicant shall have constructed a six-foot high decorative block wall, with at least 20 percent contrasting materials, along all exterior property lines. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

7. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

8. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

9. Dedicate 40 feet of right-of-way adjacent to this site for Grand Canyon Drive and 50 feet for Elkhorn Road. Dedicate a 54-foot radius on the northeast corner of Elkhorn Road and Grand Canyon Drive. Coordinate with the Department of Public Works and the developer of the Town Center residential developments located northeast of this site to determine appropriate right-of-way dedications for the intersection of Solar Avenue and the realigned Tee Pee Lane in accordance with the proposed Town Center Residential Development Standards.

ATTORNEY GRONAUER noted that in the Northwest Sector Plan about 10 acres is designated for Rural development and the other 5 acres designated for Low-Density Residential development. This parcel is allowed from 2.1 to 3.5 units to the acre in the Rural density and in the low density 3.6 to 5.5 units to the acre are allowed. This is perfect transitional zoning. In regard to the landscaping, they will be sensitive to the concerns of the neighbors along Grand Canyon and Elkhorn by providing a bigger buffer than what is required by code.

COMMISSIONER TRUESDELL commented that he likes this project. It sets some standards for residential in Town Center.

COMMISSIONER McSWAIN asked if this is developed at 2.9 units per acre whether there is still a need for a Variance to the setbacks.

ATTORNEY GRONAUER responded that they are asking for a project that has been approved in the past. The Variance helps to have more creativity through the curvilinear streets.

CHAIRMAN GALATI felt this is in close proximity to Town Center. Those standards have been adopted recently and should not be changed so soon. There should be open space and buffering. The children need a place to play.

COMMISSIONER McSWAIN wondered if it is reasonable to compare this project to a project in Summerlin with all of its amenities.

ATTORNEY GRONAUER answered that Perma-Bilt Homes performed a study and found that residents of homes in the \$300,000 price range would prefer to put their money into their own property.

NOTE: See Item Nos. B-4 and B-5 for related discussion.

To be heard by the City Council on August 15, 2001.

(6:12 - 6:31) 1 - 360

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APPROVED

10. Construct half-street improvements including appropriate overpaving, if legally able on Elkhorn Road and Grand Canyon Drive adjacent to this site concurrent with development of this site. Coordinate with the Department of Public Works and the developer of the Town Center residential developments located northeast of this site to determine appropriate roadway construction requirements for the intersection of Solar Avenue and the realigned Tee Pee Lane in accordance with the proposed Town Center Residential Development Standards. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

11. A Master Streetlight plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.

12. Coordinate with the collection systems engineer in Public Works to extend public sewer in Elkhorn Road from El Capitan Way to Grand Canyon Drive and to extend the sewer in Grand Canyon Drive to the north edge of this site to locations and depths acceptable to the City Engineer. Additionally, if not already constructed at time of development, extend public sewer in El Capitan Way north from Rome Boulevard to Elkhorn Road. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits or the recordation of a Final Map for this site. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

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ABEYANCE - Z-0035-01 - PERMA-BILT HOMES

APPROVED

13. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

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ITEM

ACTION

ABEYANCE - Z-0035-01 - PERMA-BILT HOMES

APPROVED

14. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

15. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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ACTION

B-4.

ABEYANCE - V-0032-01 - PERMA-BILT HOMES

Request for a Variance TO ALLOW FRONT SETBACKS OF EIGHTEEN FEET WHERE TWENTY FEET IS THE MINIMUM SETBACK ALLOWED WITHIN A PROPOSED SINGLE FAMILY RESIDENTIAL DEVELOPMENT on the northeast corner of Elkhorn Road and Grand Canyon Drive (APN's: 125-18-801-009, 010 and 011), U (Undeveloped) Zone [R (Rural Density Residential) and L (Low Density Residential) General Plan Designations], PROPOSED: R-1 (Single Family Residential), Ward 6 (Mack).

NOTICES MAILED 73 (Mailed with Z-0035-01 and U-0064-01)
(6/14/01 PC)

APPROVALS 0

PROTESTS 2 (1 inside notification area; 1 outside notification area)
(6/14/01 PC)
2 Speakers

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0035-01), Special Use Permit (U-0064-01).

2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**Goynes -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous**

ANDREW REED, Planning and Development, stated this is a Variance request for a 45 lot residential subdivision with setbacks of 18 feet to the garage door where 20 feet is required under the R-1 zone. The site plan submitted indicates that all the houses will front to 39 foot wide private gated curvilinear streets. There is a hardship because of the unusual parcel shapes caused by the curvilinear streets. Approval of this request can be granted without substantial detriment to the public, without substantial impairment of natural resources, and without substantially impairing the intent and purpose of an ordinance or resolution. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor
TODD FARLOW, 240 North 19th Street
BRIDGET SOLVIE, 1721 Neptune Drive

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-3 and B-5 for related discussion.

To be heard by the City Council on August 15, 2001.

(6:12 - 6:31) 1 - 360

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ACTION

B-5.

ABEYANCE - U-0064-01 - PERMA-BILT HOMES

Request for a Special Use Permit FOR PRIVATE STREETS WITHIN A PROPOSED SINGLE FAMILY RESIDENTIAL DEVELOPMENT on the northeast corner of Elkhorn Road and Grand Canyon Drive (APN's: 125-18-801-009, 010 and 011), U (Undeveloped) Zone [R (Rural Density Residential) and L (Low Density Residential) General Plan Designations], PROPOSED: R-1 (Single Family Residential), Ward 6 (Mack).

NOTICES MAILED 73 (Mailed with Z-0035-01 and V-0032-01)
(6/14/01 PC)

APPROVALS 0

PROTESTS 2 (1 inside notification area; 1 outside notification area)
(6/14/01 PC)
2 Speakers

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0035-01).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

**Goynes -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous**

ANDREW REED, Planning and Development, stated private streets are a typical design element of residential subdivisions throughout the city and are appropriate for this proposed development. Private streets within a residential subdivision will not adversely impact surrounding land uses. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:
ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor
TODD FARLOW, 240 North 19th Street
BRIDGET SOLVIE, 1721 Neptune Drive

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-3 and B-4 for related discussion.

To be heard by the City Council on August 15, 2001.

(6:12 - 6:31) 1 - 360

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ACTION

ABEYANCE - U-0064-01 - PERMA-BILT HOMES

Public Works

4. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated entries shall be designed, located and constructed in accordance with Standard Drawing #222a.

5. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. The CC&R's for the Homeowner's Association shall be submitted to and approved by the City Attorney's Office.

6. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

APPROVED

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B-6.

ABEYANCE - V-0008-01 - CITY OF LAS VEGAS ON BEHALF OF UNIVERSITY MEDICAL CENTER OF SOUTHERN NEVADA

Request for a Variance TO ALLOW FOR A 20 FOOT POLE SIGN WHERE A SECOND SIGN IS NOT PERMITTED ALONG THE SAME STREET FRONTAGE AND WHERE 5 FEET IS THE MAXIMUM HEIGHT FOR A POLE SIGN located at 1700 Wheeler Peak Street (APN: 139-21-416-011), C-PB (Planned Business Park) Zone, Ward 5 (Weekly).

NOTICES MAILED 78 (3/8/01 PC)

APPROVALS 0

PROTESTS 1 Speaker

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. If this Variance is not exercised within two years from date of approval, the Variance shall be void unless an Extension of Time is granted.
2. The pole sign shall be redesigned to reflect a more aesthetically pleasing appearance, subject to the approval of the Planning & Development Department.
3. The Architectural Review Committee for Enterprise Park shall approve the proposed sign before any sign permits are issued.
4. City Code requirements and design standards of all City Departments, which are not affected by approval of this Variance, must be satisfied.
5. Conformance to the site plan as submitted.
6. All non-permitted signage including off-premise signage shall be removed within thirty (30) days of City Council approval of this Variance.

**Truesdell -
STRICKEN
Unanimous**

There was no one present to represent this application. This request was submitted by Vision Sign Company.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. The City wants to eliminate pole signs and now there is a request by the City to have one put up.

CHAIRMAN GALATI declared the Public Hearing closed.

This is final action.

(6:31 - 6:35) 1 - 990

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ACTION

B-7.

**ABEYANCE - U-0062-01 - AEGIS ASSISTED
LIVING PROPERTIES, LIMITED LIABILITY
COMPANY ON BEHALF OF NEXTEL
COMMUNICATIONS**

Request for a Special Use Permit FOR A PROPOSED 70 FOOT TALL WIRELESS COMMUNICATION MONOPOLE TOWER at 9100 West Desert Inn Road (APN: 163-08-421-005), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (L.B. McDonald).

NOTICES MAILED 307 (6/14/01 PC)

APPROVALS 0

PROTESTS 1 (1 inside notification radius)
(6/14/01 PC)
1

Littlefield -

ABEYANCE TO THE AUGUST 9, 2001 PLANNING COMMISSION MEETING.

Motion carried with Quinn voting NO.

ANDREW REED, Planning and Development, stated this item was held in abeyance at the June 14, 2001 Planning Commission meeting. The Commission directed the applicant to provide some additional information. That information has just been provided but staff has not had a chance to review it. This facility will consist of an equipment shelter approximately 200 square feet in size and a 70-foot high tower with a co-location capacity consisting of antennas to be located at the 70, 60 and 50 foot levels.

The properties adjacent to the north and east are developed with a senior residential complex and assisted living facility. This communication tower is not an appropriate use at this location.

Staff recommended denial.

CHAIRMAN GALATI noted that the Planning Commission had requested the applicant to provide staff with additional information in a timely manner so it could be reviewed prior to this meeting.

LORRAINE SPENCER, Nextel Communications, 4525 West Reno Avenue, #A-5, appeared to represent this application.

COMMISSIONER LITTLEFIELD felt this item should be held to give staff time to review all the documents.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the Planning Commission on August 9, 2001.

(6:35 - 6:38) 1 - 1100

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ACTION

B-8.

ABEYANCE - U-0065-01 - REGINALD PROFANT ON BEHALF OF KOREAN EVANGELICAL CHURCH OF AMERICA

Request for a Special Use Permit and a Site Development Plan Review WHICH INCLUDES A REDUCTION IN THE AMOUNT OF REQUIRED PERIMETER AND PARKING LOT LANDSCAPING FOR A PROPOSED 4,893 SQUARE FOOT CHURCH COMPLEX on 1.0 Acre located at 1214 Vista Drive (APN: 162-06-510-009), R-E (Residence Estates) Zone, Ward 1 (M. McDonald).

NOTICES MAILED 73 (6/14/01 PC)

APPROVALS 0

PROTESTS 14 (9 inside notification area; 5 outside notification area) (6/14/01 PC)
5 Speakers

STAFF RECOMMENDATION: DENIAL, If Approved, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. The site plan shall be revised to indicate an accessible route to the public right-of-way.
3. Revise the landscape plan to provide alternating 24-inch box evergreen trees with the proposed 24-inch box deciduous trees. All required landscaping (including shrubs and groundcover) shall be installed per the Las Vegas Urban Design Guidelines and Standards.
4. Schools of any type shall not be allowed at this location.
5. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

-

**Buckley - DENIED.
Unanimous**

ANDREW REED, Planning and Development, stated the site plan indicates three existing on-site structures consisting of a residential dwelling that is proposed to be converted to an educational and meeting room facility. A guest house will be converted to a pastor's residence. There is an attached garage in the rear portion of the site, which will be converted to a sanctuary. Thirty parking spaces are proposed with three handicapped accessible spaces. Access to the parking area is via a 24 foot wide drive aisle accessed from Vista Drive.

A landscaping plan consists of mature landscaping along the Vista Drive frontage in planters ranging in size from 22 to 48 feet wide. There will be a 4-foot wide planter along the north property line, 5.5 foot wide planter along the west property line, and a 5 foot wide planter along the south property line. The planters include 24-inch box trees planted 30 feet on center in 5-gallon shrubs. The east end of the southern landscape planter consists of existing trees and shrubs.

There are two existing religious facilities on Vista Drive: Living Word Christian Church at 1202 Vista Drive and Chabad of Southern Nevada at 1254 Vista Drive.

The site plan is accessible for the proposed church conversion, but it should be revised to indicate an accessible route to the public right-of-way.

Approval of this church constitutes a third facility located in the same block within a maximum of 600 feet of each other. A third facility will create too intense of a use for this residential block. The residents have concerns regarding traffic and parking in the neighborhood.

The applicant has requested a reduction in the amount of perimeter and parking lot landscaping. If this is approved, partial reduction of the required perimeter landscaping is appropriate.

Staff recommended denial.

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**ABEYANCE - U-0065-01 - REGINALD
PROFANT ON BEHALF OF KOREAN
EVANGELICAL CHURCH OF AMERICA**

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license]

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.

9. If parking lot lighting is proposed, the applicant shall submit a lighting plan to the Planning and Development staff for review. Parking lot lighting standards shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

11. All City Code requirements and design standards of all City departments must be satisfied.

HAROLD FOSTER, 3230 Polaris Avenue, appeared with KATHY PROFANT. MR. and MRS. PROFANT would like to sell this property for the church use. The west half of the block is zoned commercial and office. There is commercial along the south side of Charleston Boulevard. To the west of Arville is the large shopping center where the new Wal-Mart Super store will be built. In the second block to the east is an engineering office. There is a precedent set already.

This church only has about 25 members and would be compatible with the single-family homes. They meet on Wednesdays and Sundays. There is no music, just singing.

All access is from the existing driveway. There is an existing eight-foot high wall around this property except in the front. The large oleanders will be removed so there is sufficient room for the driveway. Parking will be 100 feet away from Vista Drive. There will not be any parking in the front. The existing garage is finished on the inside. The pastor will live in the guesthouse. The front of the property will remain residential in appearance. There will be a small directional sign. They are willing to have a condition that all the traffic will come from Charleston Boulevard and go down Vista Drive. Most of the time only 20 parking spaces will be used.

KATHY PROFANT appeared to represent the application. She explained how the area is developed. There are auto repair facilities in the area which test drive their cars on Vista Drive, as well as other commercial businesses, including a strip mall and wedding chapel. The church will comprise approximately 1,200 square feet.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. In the Population Element of the 2020 Master Plan it refers to revitalization demographics. The City Council wants to stop encroachment of commercial into residential neighborhoods.

THOMAS BINGHAM, 1209 Vista Drive, appeared in protest. He would like to preserve the residential areas. There is a new home being built at the end of Vista Drive.

PAT MULHALL appeared in protest. There are already two churches on Vista Drive. There is a big parking lot at the end of the street that gets overcrowded which creates a problem for the business owner in that area.

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**ABEYANCE - U-0065-01 - REGINALD
PROFANT ON BEHALF OF KOREAN
EVANGELICAL CHURCH OF AMERICA**

Public Works

12. Sign and record a Covenant Running with Land agreement for the possible future installation of half-street improvements (including curb and gutter, sidewalks, permanent paving and possibly sewers) on Vista Drive adjacent to this site prior to the issuance of any permits.

13. Provide proof to the City that this site has a commercial septic tank system permit from the Clark County Health District prior to the issuance of building or grading permits, whichever may occur first. No asphalt or concrete paving shall be permitted over a septic tank/leach field system. If such proof cannot be provided, this site shall be required to connect to the City sanitary sewer system prior to the issuance of any permits.

14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All new or modifications to existing driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a.

15. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be

THOMAS J. McGRAH, 1413 Vista Drive, appeared in protest. This is a beautiful neighborhood. He likes its privacy.

ELIZABETH J. MARYNOW, 1413 Vista Drive, appeared in protest. Almost every Saturday and Sunday there are cars lining the street. She wants to maintain the privacy that exists at the present time.

CHAIRMAN GALATI declared the Public Hearing closed.

HAROLD FOSTER felt this is not a totally quiet residential neighborhood. Once the Wal-Mart store is built it will impact the area. This small church has been in existence for some time and has a slow rate of growth.

COMMISSIONER GOYNES commented that in Ward 5 the churches have destroyed the neighborhoods. Churches increase at a rate of more than five or six new members a year.

COMMISSIONER TRUESDELL felt this area has changed, but when other neighborhoods have taken an active part the neighborhoods went back to residential. There are residences on both sides of this property.

This is final action.

(6:38 - 7:06) 1 - 1230

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**ABEYANCE - U-0065-01 - REGINALD
PROFANT ON BEHALF OF KOREAN
EVANGELICAL CHURCH OF AMERICA**

DENIED

contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

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ACTION

B-9.

ABEYANCE - SD-0025-01 - PLASTER DEVELOPMENT COMPANY, INC. ON BEHALF OF SIGNATURE HOMES

Request for a Site Development Plan Review FOR A PROPOSED 85 LOT RESIDENTIAL SUBDIVISION on 13.02 Acres located east of Michael Way and south of Madre Mesa Drive (APN's: 138-13-701-018, 028 and 041), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units per Acre), Ward 5 (Weekly).

NOTICES MAILED 265 (6/14/01 PC)

APPROVALS 0

PROTESTS 2 (inside notification area)
(6/14/01 PC)
1 Speaker
5 in Audience

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The applicant must file form 7460-1 with the Federal Aviation Administration and must obtain either a permit from the Clark County Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment prior to construction of any houses that are more than twenty (20') feet in height above ground level.

2. The setbacks for this development shall be a minimum of 20 feet to the front (street side) of the house, 20 feet to the front of the garage, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear (interior side).

3. The landscape plan shall be revised to indicate minimum 24-inch box trees in all perimeter landscape planters.

Goynes -

ABEYANCE TO THE AUGUST 9, 2001 PLANNING COMMISSION MEETING.

Motion carried with McSwain abstaining as her company is bidding on this project.

TROY JESCHKE, Planning and Development, stated access to this site will be from one gated entrance off Madre Mesa Drive on the north side of this property. Thirty-seven foot wide private streets forming a loop configuration will access all the lots. Six-foot wide planters are depicted along all public street frontages. This development will consist of 85 single-family lots with typical lot sizes of 3,600 square feet. The residential floor plans are for a two-story product ranging between 1,500 square feet and 2,000 square feet. A 1.4-acre open space park will be located toward the central western portion of the overall site. Building elevations depict stucco exteriors with concrete tile roofs. The landscaping will provide an aesthetically pleasing environment within the project and at the sites perimeters. Since the June 14, 2001 Planning Commission meeting, the applicant has worked with staff. Staff recommended approval, subject to the conditions.

DEAN RASMUSSEN, 3068 East Sunset Road, appeared to represent the applicant. He concurred with the conditions. This property is already zoned R-PD6. It is compatible with the adjacent development. They would agree to an additional condition of an eight-foot high wall along the west property line. The grades along the west property line will be within a foot of the existing grade.

TAMARA KOLSTAD, Plaster Development Company, 801 South Rancho Drive, Suite E-4, appeared to represent the application.

CHAIRMAN GALATI declared the Public Hearing open.

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**ABEYANCE - SD-0025-01 - PLASTER
DEVELOPMENT COMPANY, INC. ON BEHALF
OF SIGNATURE HOMES**

4. The perimeter landscape planters shall be indicated on the Tentative Map and ultimately platted as separate common lots.

5. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

6. The applicant shall construct a six-foot high decorative block wall, with at least 20 percent contrasting materials, along the side and rear property lines. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

7. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

8. All City Code requirements and design standards of all City departments must be satisfied.

9. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

10. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Public Works

11. This site plan shall be redesigned to comply with the Title 18 – Subdivision Ordinance private street standards for the design, layout and construction of all interior private streets. The Tentative Map for this site shall reflect such requirements.

JAMES E. SMITH, President of American Wheelchair Veterans, 5355 Madre Mesa Drive, appeared in protest. There was an agreement with the City Council in a meeting in 1999 that all the homes on the west side of this property to be one story. He does not want the veterans to be looking into a two-story building. Now this property has been purchased by Signature Homes who feel they do not have to abide by that agreement. If it is not possible to have one story adjacent to the veterans building then this should be held in abeyance until there is a meeting to further discuss that issue. Only part of the project would be one story and the remainder two stories. Veterans who may be visiting in Las Vegas stay in cottages for approximately a week and some live there permanently.

There were approximately 5 persons in the audience in opposition.

CHAIRMAN GALATI declared the Public Hearing closed.

MR. RASMUSSEN said he was only aware of the negotiations about a month ago. They have agreed to an eight-foot high wall. They will provide a 20-foot setback in the rear of the property. A certain size home has to be compatible with the neighborhood. The homes they are proposing will sell between \$150,000 and \$225,000. There will be 85 lots in an exclusive private neighborhood. It is difficult to sell one story homes within a mix of larger homes. He felt the homeowners will be planting landscaping to create an additional buffer.

COMMISSIONER BUCKLEY asked if there is a one-story limit on this property. MR. JESCHKE responded that the agreement that MR. SMITH is referring to was made while this property was in the County and was in an application for the north side of Madre Mesa Drive. Any agreements that were made would not have to be adhered to. This property came into the city under a separate application and an annexation was recorded early last year.

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**ABEYANCE - SD-0025-01 - PLASTER
DEVELOPMENT COMPANY, INC. ON BEHALF
OF SIGNATURE HOMES**

12. Dedicate 30 feet of right-of-way adjacent to this site for Roberta Lane.

13. Construct half-street improvements including appropriate overpaving on Madre Mesa Drive and Roberta Lane adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

14. Coordinate with the Collection System Section of the Department of Public Works to extend public sewer in Roberta Lane to the west edge of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

15. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to submittal of any construction drawings or the recordation of a Final Map for this subdivision site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.

CHAIRMAN GALATI noted that in a City Council letter it indicates a different parcel number. It appears to be a piece on the north side of Madre Mesa and fronting on Michael Way. The condition protected the homes fronting on Michael Way and not necessarily this property. MR. RASMUSSEN added that the piece to the north will be developed with single story homes per those conditions.

COMMISSIONER BUCKLEY commented that the applicant can continue to talk to the neighbors. MR. RASMUSSEN said they have been in contact with COUNCILMAN WEEKLY's office and agreed to meet again between this meeting and the City Council meeting to see if everyone can come closer to a meeting of the minds.

COMMISSIONER LITTLEFIELD asked the height of the two-story building. MR. RASMUSSEN answered that it is only 22 feet high. It is lower than a normal two-story home because of irrigation easements.

COMMISSIONER LITTLEFIELD asked if there is a requirement for setbacks. MR. RASMUSSEN replied that there are no requirements.

COMMISSIONER QUINN asked how many other two-story homes are around the periphery of this property. MR. RASMUSSEN replied that the proposed architecture is compatible with the surrounding area. MR. JESCHKE said closer to Rancho Drive are two-story structures. The majority of the neighborhoods to the south and west are single story.

MR. SMITH noted that at Smoke Ranch and Michael Way there are single story homes. All the homes on Michael Way are single story and most of them on half-acre lots. Across the street is the applicant's other project and they have agreed to put single story along Michael Way and Madre Mesa.

To be heard by the Planning Commission on August 9, 2001.

(7:06 - 7:28) 1 - 2370

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ITEM

ACTION

**ABEYANCE - SD-0025-01 - PLASTER
DEVELOPMENT COMPANY, INC. ON BEHALF
OF SIGNATURE HOMES**

ABEYANCE TO AUGUST 9, 2001

16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated entries shall be designed, located and constructed in accordance with Standard Drawing #222a.

17. A Master Streetlight plan shall be submitted and approved prior to the submittal of any construction drawings for this site.

18. Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. The CC&R's for the Homeowner's Association shall be submitted to and approved by the City Attorney's Office.

19. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

20. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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ITEM

ACTION

B-10.

**ABEYANCE - MSP-0002-01 - ROME 13.75,
LIMITED LIABILITY COMPANY**

Request for a Master Sign Plan FOR AN APPROVED 265,100 SQUARE FOOT COMMERCIAL CENTER AND A WAIVER OF THE TC SIGN STANDARD on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive (APN: 125-21-701-005, 125-21-801-003, 004, 012, 015, and 017), TC (Town Center) Zone, Ward 6 (Mack).

NOTICES MAILED 372 [Mailed with Z-0038-01 and V-0035-01]

APPROVALS 0

PROTESTS 4 Speakers

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. All development shall be in conformance with the site plan and signage elevations, except as amended by conditions herein.

Public Works

2. All signage shall be situated as to not interfere with Sight Visibility Restriction Zones; final sign locations shall be approved by the Traffic Engineer.

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS FOR THREE SIGNS UNLESS THE 80 FOOT HIGH SIGN IS APPROVED BY CITY COUNCIL, THEN THE WESTERLY SIGN BE ELIMINATED.

Motion carried with McSwain voting No.

ANDREW REED, Planning and Development, stated this site plan is similar to what was approved by the Planning Commission and City Council. The prior site plan depicted four pads with three along Sky Pointe Drive and one along Buffalo Drive. The revised plan shows three pads concentrated at the intersection of John Herbert Boulevard and Sky Pointe Drive. The new plan also portrays a revised parking layout that includes spaces that are immediately adjacent to the retail stores in the east portion of the site. The revised pad locations are appropriate, but the parking spaces on the east side of the site adjacent to a main drive are poorly located. The length of the drive will encourage high speeds, which would create conflicts with vehicles entering and exiting the parking spaces. Staff recommended approval, subject to the conditions.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent the applicant. This property is located in Town Center and bounded by Buffalo Drive, John Herbert Boulevard and Sky Pointe Drive. They will have a variety of pylon signs and monument signs. The pylon signs will meet the new Town Center standards of 24 feet. There will be three signs along Sky Pointe Drive and a variety of monument signs along John Herbert Boulevard and Buffalo Drive.

CHAIRMAN GALATI declared the Public Hearing open.

LOUISE RUSKAMP, 8500 Log Cabin Way, appeared in protest. She objected to the three pylon signs along Sky Pointe Drive. Under the Town Center standards in the section for Suburban Mixed Use, Section 2, it states one sign per street frontage is allowed. Corner lots are permitted to have one sign for each street frontage if a minimum separation of at least 100 feet is maintained between the signs. She did not think there could be three signs on the same side of the property. There could be one sign on Sky Pointe Drive and one on John Herbert Boulevard, but not three along Sky Pointe Drive.

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ACTION

**ABEYANCE - MSP-0002-01 - ROME 13.75,
LIMITED LIABILITY COMPANY**

TODD FARLOW, 240 North 19th Street, appeared in protest. The Town Center concept is fairly new and now they are asking for waivers. CHAIRMAN GALATI added that the reason for the waiver is that the City Council has not adopted those standards.

CAROL LeDUC, 7575 Rome Boulevard, appeared in protest. If they are allowed two pylon signs, they should not be placed next to the residential. Suburban Mixed Use is to be guarding R-E (Residence Estates).

STEPHEN REILLY, 7000 Steeple Court, appeared in protest. He asked if the signs will be subject to review and approval by the Centennial Hills Town Center Architectural Review Committee. He would like to see some of the residents on that Committee so it is not completely controlled by developers.

CHAIRMAN GALATI declared the Public Hearing closed.

SCOTT ALBRIGHT, Planning and Development, clarified that in regard to the pylon signs and the requirement of one per street frontage, the intent has always been one along each street frontage, not clustered based on the number of streets they actually front. Staff will make any necessary Text Amendments to the document to make sure that is clear before it is heard by the City Council.

In regard to the proposed Architectural Review Committee, it is not in place at this time so signs would not be subject to their review until such a committee is in place.

ATTORNEY GRONAUER said they are not proposing any pylon signs along John Herbert Boulevard or Buffalo Drive, but are proposing the larger signs at 24 feet along Sky Pointe Drive. Staff has reviewed their sign package and found them to be compatible with the development of the Target Greatland center and Von's, etc.

COMMISSIONER TRUESDELL felt that by having pylons signs along the south side of the property and monument signs on the north side that would be compatible with the surrounding area.

COMMISSIONER BUCKLEY asked if the applicant is still proposing the 80-foot high sign that was on the last meeting agenda and got denied. ATTORNEY GRONAUER replied that they have appealed the denial to the City Council. This is going to be an intense area in the future.

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ACTION

**ABEYANCE - MSP-0002-01 - ROME 13.75,
LIMITED LIABILITY COMPANY**

CHAIRMAN GALATI asked the distance between the three 24-foot pylons signs. ATTORNEY GRONAUER estimated that they are approximately 250 feet apart.

CHRIS GLORE, Planning and Development, felt these items could be held in abeyance to the August 9, 2001 Planning Commission meeting, which would be one week after the City Council action on the appeal of the Variance for the 80 foot sign.

ATTORNEY GRONAUER responded that the applicant has an agreement with Target Greatland that they need to meet certain deadlines. Because of the Master Sign Plan being held, they cannot obtain their grading permits. However, the intent is if they are approved for the 80 foot high sign, they would prefer to have the two 24-foot signs. If the 80-foot high sign is denied, then the three pylon signs could be approved.

NOTE: See Item No. C-2 for related discussion.

To be heard by the City Council on August 15, 2001.

(7:28 - 7:54) 1 - 3510

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ITEM

ACTION

B-11.

GPA-0016-01 - TOMMY J. AND BARBARA J. TERRY TRUST

Request to amend the Southeast Sector Map of the General Plan FROM: M (Medium Density Residential) TO: SC (Service Commercial) and LI/R (Light Industrial/Research) on 4.09 Acres on the northwest corner of Lamb Boulevard and Washington Avenue (APN's: 140-30-601-010 and 011), Ward 3 (Reese).

NOTICES MAILED 1,472 [Mailed with Z-0041-01, V-0045-01, U-0089-01, U-0090-01 U-0091-01 and Z-0041-01(1)]

APPROVALS 0

PROTESTS 8

STAFF RECOMMENDATION: DENIAL of the request for LI/R; APPROVAL of an amended request for SC (Service Commercial) for the entire site.

(SECOND MOTION)

Truesdell -

APPROVED AMENDED APPLICATION TO SC (SERVICE COMMERCIAL).

Unanimous

(FIRST MOTION)

Truesdell -

WITHDRAW LI/R (Light Industrial/Research) WITHOUT PREJUDICE.

Unanimous

SEAN ROBERTSON, Planning and Development, stated the applicant has requested the LI/R (Light Industrial/Research) and M (Industrial) be withdrawn from this request. In light of that, staff finds that would result in the expansion of uses already existing or planned for at this intersection rather than an intrusion of new and inharmonious uses. The larger parcel to the east, which is to be part of this development, is already planned for SC (Service Commercial) and development will be difficult if not done in conjunction with the larger piece.

The SC (Service Commercial) designation is intended to allow Low to Medium intensity Commercial uses primarily to serve local areas. Within the existing context, staff found this to be an appropriate land use and recommended approval.

MANUEL BENGOCHEA, 5900 Emerald Avenue, Suite B, appeared to represent the applicant. The intention is to provide the service of live poultry processing to offer poultry to their customers. The only avenue to do the large poultry processing is in the M (Industrial) zone. If there is another avenue for chicken processing in the C-1, they would be willing to amend the application.

JOHN ALEJO, 6017 Atlantic Boulevard, Maynard, California said his company is the operating entity.

ROBERT GENZER, Planning and Development, said staff has been working with the applicant and appreciates their cooperation. The only alternative to these items is a Text Amendment that would allow poultry processing in a C-1 zone under a certain set of circumstances, but those circumstances are unknown at this time. The applicant should formally request a Text Amendment in writing to the Planning and Development Department and indicate what those conditions should be. Staff will bring that Text Amendment to the Planning Commission and City Council.

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GPA-0016-01 - TOMMY J. AND BARBARA J. TERRY TRUST

MR. BINGOCHEA said they will provide those conditions. They have a store in California where they do live poultry processing in a small portion of the store.

CHAIRMAN GALATI declared the Public Hearing open.

LINDA SCHOOLCROFT, Three Crowns Mobile Home Park, 1111 North Lamb Boulevard, appeared in protest to live chicken processing.

MR. GENZER clarified that the applicant still needs the SC (Service Commercial) portion of the General Plan Amendment and C-1 (Limited Commercial) zoning for a standard market. The only part of the General Plan Amendment that would be withdrawn is the LI/R. The only part of the Rezoning to be withdrawn would be the M zone. Therefore, they would not be allowed to have live chicken processing.

MS. SCHOOLCROFT added that this is primarily a residential area with five schools within a one-mile radius.

JOAN HALES, Three Crowns Mobile Home Park, 867 North Lamb Boulevard, appeared in protest. She asked if they are requesting a grocery store, convenience store, and service station. CHAIRMAN GALATI clarified that the applicant is requesting a market and a convenience store with gasoline sales.

TIM KIRLEY, Three Crowns Mobile Home Park, 1111 North Lamb Boulevard, appeared in protest. There are two gas stations, two convenience stores, a market and small strip mall at that intersection. There is no need for another gas station and convenience store.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-12, B-13, B-14, B-15, B-16, and B-17 for related discussion.

NOTE: COMMISSIONER LITTLEFIELD left the meeting at 8:21 P.M.

To be heard by the City Council on August 15, 2001.

(7:54 - 8:37) RECESS

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ITEM

ACTION

B-12.

Z-0041-01 - TOMMY J. AND BARBARA J. TERRY TRUST

Request for a Rezoning FROM: R-MHP (Residential Mobile/Manufactured Home Park) TO: C-1 (Limited Commercial) and M (Industrial) on 4.09 Acres on the northwest corner of Lamb Boulevard and Washington Avenue (APN's: 140-30-601-010 & 011), PROPOSED USE: CHICKEN PROCESSING, RETAIL AND CONVENIENCE STORE, Ward 3 (Reese).

NOTICES MAILED 1,472 [Mailed with GPA-0016-01, V-0045-01, U-0089-01, U-0090-01, U-0091-01 and Z-0041-01(1)]

APPROVALS 1 Speaker

PROTESTS 7

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The M (Industrial) zoning requested for a portion of this site shall be amended to C-1 (Limited Commercial).
2. The City Council shall approve a General Plan Amendment (GPA-0016-01) to an appropriate land use designation.
3. A Resolution of Intent with a two-year time limit.
4. The Planning Commission and City Council shall approve a Site Development Plan Review application prior to issuance of any permits, any site grading, and all development activity for the site.

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Motion carried with Littlefield excused

ANDREW REED, Planning and Development, stated C-1 (Limited Commercial) is compatible with the pattern of development occurring at this intersection. There is no M (Industrial) zoning existing along Lamb Boulevard or Washington Avenue in the vicinity, so M (Industrial) would result in spot zoning, which is defined in the Zoning Ordinance of a lot or parcel of land to benefit an owner for a use incompatible with surrounding land uses and does not further the General Plan. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

LINDA SCHOOLCROFT, Three Crowns Mobile Home Park, 1111 North Lamb Boulevard, appeared in protest. She was concerned that they will be reducing the landscaping. The chicken processing should be in an industrial zone.

COMMISSIONER QUINN said his company built a chicken processing facility approximately ten years ago and the residents were unaware of its existence because there was nothing to be seen nor any odors generated.

CHAIRMAN GALATI explained that he has seen a video of the process and found it is different than what he had in mind. It is a small piece of the store. Some of the residents have also seen the video.

TIM KIRLEY, Three Crowns Mobile Home Park, 1111 North Lamb Boulevard, appeared in protest. This will increase the traffic.

TODD FARLOW, 240 North 19th Street, appeared in approval. His family had a chicken processing business and it did not create a problem for the neighborhood. However, the number of birds should be limited. A large chicken processing business should be outside the city limits.

CHAIRMAN GALATI declared the Public Hearing closed.

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ACTION

Z-0041-01 - TOMMY J. AND BARBARA J. TERRY TRUST

Public Works

5. Submit a Reversionary Map to revert the underlying lot lines to acreage prior to the issuance of any permits.

6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be

NOTE: See Item Nos. B-11, B-13, B-14, B-15, B-16, and B-17 for related discussion.

NOTE: COMMISSIONER LITTLEFIELD left the meeting at 8:21 p.m.

To be heard by the City Council on August 15, 2001.

(7:54 - 8:37) RECESS

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Z-0041-01 - TOMMY J. AND BARBARA J. TERRY TRUST

APPROVED

allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

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ITEM

ACTION

B-13.

V-0045-01 - TOMMY J. AND BARBARA J. TERRY TRUST

Request for a Variance TO ALLOW A PROPOSED BUILDING TO BE CONSTRUCTED ZERO FEET FROM THE REAR PROPERTY LINE WHERE 20 FEET IS MINIMUM SETBACK ALLOWED on the northwest corner of Lamb Boulevard and Washington Avenue (APN's: 140-30-601-010 & 011), R-MHP (Residential Mobile/Manufactured Home Park) PROPOSED C-1 (Limited Commercial) and M (Industrial) Zones, Ward 3 (Reese).

NOTICES MAILED 1,472 [Mailed with GPA-0016-01, Z-0041-01, U-0089-01, U-0090-01 U-0091-01 and Z-0041-01(1)]

APPROVALS 1 Speaker

PROTESTS 7

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0041-01) and Site Development Plan Review [Z-0041-01(1)].

2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS
Motion carried with Littlefield excused

ANDREW REED, Planning and Development, stated that because the north property line is adjacent to the Las Vegas Drainage Channel, staff finds that is a unique circumstance associated with this site and that there is adequate justification to recommend approval of the Variance. The property on the northeast corner of Washington and Lamb is also a shopping center and has no setback from the drainage channel. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

MANUEL BENGOCHEA, 5900 Emerald Avenue
JOHN ALEJO, 6017 Atlantic Boulevard, Maynard, California
ROBERT GENZER, Planning and Development
LINDA SCHOOLCROFT, Three Crowns Mobile Home Park, 1111 North Lamb Boulevard
TIM KIRLEY, Three Crowns Mobile Home Park, 1111 North Lamb Boulevard
TODD FARLOW, 240 North 19th Street

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-11, B-12, B-14, B-15, B-16, and B-17 for related discussion.

NOTE: COMMISSIONER LITTLEFIELD left the meeting at 8:21 p.m.

To be heard by the City Council on August 15, 2001.

(7:54 - 8:37) RECESS

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ITEM

ACTION

B-14.

U-0089-01 - TOMMY J. AND BARBARA J. TERRY TRUST

Request for a Special Use Permit FOR THE SALE OF PACKAGED LIQUOR FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH A PROPOSED GROCERY STORE on the northwest corner of Lamb Boulevard and Washington Avenue (APN's: 140-30-601-010 & 011), R-MHP (Residential Mobile/Manufactured Home Park) PROPOSED C-1 (Limited Commercial) and M (Industrial) Zones, Ward 3 (Reese).

NOTICES MAILED 1,472 [Mailed with GPA-0016-01, Z-0041-01, V-0045-01, U-0090-01, U-0091-01 and Z-0041-01(1)]

APPROVALS 1 Speaker

PROTESTS 7

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19A.04.050 for the off-premise sale of packaged liquor.

2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0041-01) and Site Development Plan Review [Z-0041-01(1)].

3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

4. All City Code requirements and design standards of all City departments must be satisfied.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 6 DELETED.

Motion carried with Littlefield excused

ANDREW REED, Planning and Development, stated that the sale of packaged liquor for off-premise consumption in conjunction with a grocery store can be conducted in a manner that is compatible with existing development in the area. There are two convenience stores at the adjacent intersection that sell beer and wine. Condition No. 6 should be deleted because it is not normally applied to markets. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

MANUEL BENGOCHEA, 5900 Emerald Avenue
JOHN ALEJO, 6017 Atlantic Boulevard, Maynard, California
ROBERT GENZER, Planning and Development
LINDA SCHOOLCROFT, Three Crowns Mobile Home Park, 1111 North Lamb Boulevard
TIM KIRLEY, Three Crowns Mobile Home Park, 1111 North Lamb Boulevard
TODD FARLOW, 240 North 19th Street

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-11, B-12, B-13, B-15, B-16, and B-17 for related discussion.

NOTE: COMMISSIONER LITTLEFIELD left the meeting at 8:21 p.m.

To be heard by the City Council on August 15, 2001.

(7:54 - 8:37) RECESS

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ACTION

U-0089-01 - TOMMY J. AND BARBARA J. TERRY TRUST

APPROVED

5. Approval of this Special Use Permit does not constitute approval of a liquor license.

6. The sale of individual containers of any size beer, wine coolers, or screw cap wine is prohibited.

7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

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ITEM

ACTION

B-15.

U-0090-01 - TOMMY J. AND BARBARA J. TERRY TRUST

Request for a Special Use Permit FOR THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on the northwest corner of Lamb Boulevard and Washington Avenue (APN's: 140-30-601-010 & 011), R-MHP (Residential Mobile/Manufactured Home Park) PROPOSED C-1 (Limited Commercial) and M (Industrial) Zones, Ward 3 (Reese).

NOTICES MAILED 1,472 [Mailed with GPA-0016-01, Z-0041-01, V-0045-01, U-0089-01, U-0091-01 and Z-0041-01(1)]

APPROVALS 1 Speaker

PROTESTS 7

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19A.04.050 for the off-premise sale of beer and wine.

2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0041-01) and Site Development Plan Review [Z-0041-01(1)].

3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

4. All City Code requirements and design standards of all City departments must be satisfied.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS AS AMENDED APPLICATION SC (SERVICE COMMERCIAL). Motion carried with Littlefield excused

ANDREW REED, Planning and Development, stated the sale of beer and wine for off-premise consumption in conjunction with a proposed convenience store is suitable for this property. Staff recommended approval, subject to the conditions.

ROBERT GENZER, Planning and Development, said he would like to replace Condition No. 6 with the following: The sale of screw cap wine and any size beer or wine cooler in individual cans or bottles and packaged other than in its original manufactured form is prohibited.

MR. ALAJO agreed to the change in Condition No. 6.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

MANUEL BENGOCHEA, 5900 Emerald Avenue

JOHN ALEJO, 6017 Atlantic Boulevard, Maynard, California

ROBERT GENZER, Planning and Development

LINDA SCHOOLCROFT, Three Crowns Mobile Home Park, 1111 North Lamb Boulevard

TIM KIRLEY, Three Crowns Mobile Home Park, 1111 North Lamb Boulevard

TODD FARLOW, 240 North 19th Street

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-11, B-12, B-13, B-14, B-16, and B-17 for related discussion.

NOTE: COMMISSIONER LITTLEFIELD left the meeting at 8:21 p.m.

To be heard by the City Council on August 15, 2001.

(7:54 - 8:37) RECESS

PLANNING COMMISSION

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

U-0090-01 - TOMMY J. AND BARBARA J. TERRY TRUST

APPROVED

5. Approval of this Special Use Permit does not constitute approval of a liquor license.

6. The sale of individual containers of any size beer, wine coolers, or screw cap wine is prohibited.

7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

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ITEM

ACTION

B-16.

U-0091-01 - TOMMY J. AND BARBARA J. TERRY TRUST

Request for a Special Use Permit FOR A SERVICE STATION (GASOLINE SALES) IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on the northwest corner of Lamb Boulevard and Washington Avenue (APN's: 140-30-601-010 & 011), R-MHP (Residential Mobile/Manufactured Home Park) PROPOSED C-1 (Limited Commercial) and M (Industrial) Zones, Ward 3 (Reese).

NOTICES MAILED 1,472 [Mailed with GPA-0016-01, Z-0041-01, V-004501, U-0089-01, U-0090-01 and Z-0041-01(1)]

APPROVALS 1 Speaker

PROTESTS 7

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0041-01) and Site Development Plan Review [Z-0041-01(1)].

2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. All City Code requirements and design standards of all City departments must be satisfied.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Littlefield excused.

ANDREW REED, Planning and Development, stated the sale of gasoline is compatible with a convenience store. It can be conducted in a manner that is compatible with the existing development in the area. There is an existing convenience store at the intersection that sells gasoline. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

MANUEL BENGOCHEA, 5900 Emerald Avenue
JOHN ALEJO, 6017 Atlantic Boulevard, Maynard, California
ROBERT GENZER, Planning and Development
LINDA SCHOOLCROFT, Three Crowns Mobile Home Park, 1111 North Lamb Boulevard
TIM KIRLEY, Three Crowns Mobile Home Park, 1111 North Lamb Boulevard
TODD FARLOW, 240 North 19th Street

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-11, B-12, B-13, B-14, B-15, and B-17 for related discussion.

NOTE: COMMISSIONER LITTLEFIELD left the meeting at 8:21 p.m.

To be heard by the City Council on August 15, 2001.

(7:54 - 8:37) RECESS

PLANNING COMMISSION

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ITEM

ACTION

B-17.

Z-0041-01(1) - TOMMY J. AND BARBARA J. TERRY TRUST

Request for a Site Development Plan Review and a Reduction in the amount of Perimeter Landscaping FOR A PROPOSED 45,309 SQUARE FOOT COMMERCIAL CENTER on the northwest corner of Lamb Boulevard and Washington Avenue (APN's: 140-30-601-010 & 011), R-MHP (Residential Mobile/Manufactured Home Park) PROPOSED C-1 (Limited Commercial) and M (Industrial) Zones, Ward 3 (Reese).

NOTICES MAILED 1,472 [Mailed with GPA-0016-01, Z-0041-01, V-0045-01, U-0089-01 U-0090-01 and U-0091-01]

APPROVALS 1 Speaker

PROTESTS 7

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of a Variance to allow a reduction in the setback from the north property line.
2. The City Council shall approve Rezoning Z-0041-01.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS AND ADDITIONAL CONDITION FOR APPLICANT TO WORK WITH STAFF ON THE AESTHETICS OF THE CANOPY.

Motion carried with Littlefield excused

ANDREW REED, Planning and Development, stated the market and retail shops will be constructed in the northwest portion of this site. The market indicates a 3,200 square foot area where live chickens will be processed and sold as fresh poultry. A convenience store with gasoline sales is shown in the southeast portion of this property. Access will be provided by two driveways to Lamb Boulevard and two driveways to Washington Avenue.

Landscaping is depicted within a 20-foot wide planter along Washington Avenue and 15 foot wide planter along Lamb Boulevard. A five-foot wide planter is shown along the north property line with 10 feet along the east 150 feet of the north property line. No landscaping is shown along the west 160 feet of the north property line because the applicant is proposing to construct a market retail building with no setback from the north property line. The applicant has requested a Variance to allow a zero setback from the north property line. Because it is adjacent to the drainage channel, staff feels there is adequate justification to recommend approval of the Variance. In regard to the landscape plan, staff notes that the applicant is requesting a reduction of landscaping standards to allow a five-foot wide landscape planter along the east portion of the north property line and no landscaping along the west portion of the north property line. Because the north property line is adjacent to the drainage channel, there is adequate justification for a reduction in landscaping

In regard to the elevations, the stucco exteriors with concrete tile roofs are typical of commercial development in the vicinity and the elevations are appropriate.

Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

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ACTION

Z-0041-01(1) - TOMMY J. AND BARBARA J. TERRY TRUST

5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.].

6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

9. A Master Sign Plan shall be submitted for approval of Planning Commission and City Council prior to the issuance of a Certificate of Occupancy for any building on the site.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

11. The applicant shall have constructed a six-foot high decorative block wall, with at least 20 percent contrasting materials, along the side and rear property lines. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

APPEARANCES:

MANUEL BENGOCHEA, 5900 Emerald Avenue
JOHN ALEJO, 6017 Atlantic Boulevard, Maynard, California
ROBERT GENZER, Planning and Development
LINDA SCHOOLCROFT, Three Crowns Mobile Home Park,
1111 North Lamb Boulevard
TIM KIRLEY, Three Crowns Mobile Home Park, 1111 North
Lamb Boulevard
TODD FARLOW, 240 North 19th Street

CHAIRMAN GALATI declared the Public Hearing closed. He noted that the Planning Commission did not have any elevations on the gasoline canopy or convenience store. He wanted to make sure it will be compatible with the entire project and surrounding area. MR. REED responded that would be on the Site Development Plan Review requiring the gasoline canopy to make sure it will be compatible with the remainder of the shopping center.

MANUEL BENGOCHEA requested a metal fascia and residential type roof on the canopy so the corporate identity is not violated.

CHAIRMAN GALATI requested the applicant to work with staff in regard to the canopy.

NOTE: See Item Nos. B-11, B-12, B-13, B-14, B-15, and B-16 for related discussion.

NOTE: COMMISSIONER LITTLEFIELD left the meeting at 8:21 p.m.

To be heard by the City Council on August 15, 2001.

(7:54 - 8:37) RECESS

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ACTION

Z-0041-01(1) - TOMMY J. AND BARBARA J. TERRY TRUST

APPROVED

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

15. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-41-01, on this same agenda, and all other subsequent site-related actions.

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ITEM

ACTION

B-18.

GPA-0017-01 - W.M. LAND DEVELOPMENT

Request to amend the Southwest Sector Map of the General Plan FROM: DR (Desert Rural) TO: O (Office) on 5.4 Acres on the east side of Buffalo Drive, approximately 1,450 feet south of Charleston Boulevard (APN's: 163-03-201-001 & 002), Ward 1 (M. McDonald).

NOTICES MAILED 1,832 [Mailed with Z-0043-01 and Z-0043-01(1)]

APPROVALS 101

PROTESTS 35

STAFF RECOMMENDATION: DENIAL

Truesdell -

APPROVED

Motion carried with Littlefield excused.

SCOTT ALBRIGHT, Planning and Development, stated Section 19A.18.030.i of the City of Las Vegas Zoning Ordinance requires four conditions be met in order to justify a General Plan Amendment. Staff does not feel all those conditions are being met and cannot support this request to office. This part of the Buffalo Drive corridor is part of an established and stable residential neighborhood. Currently there are no existing non-residential intrusions along Buffalo Drive from south of Charleston Boulevard to Via Olivero, with the exception of the Buffalo Park. The introduction of a non-residential use could negatively impact this Low Density Residential neighborhood. The standalone single-family residences along the corridor indicate that a Desert Rural Residential environment can successfully exist along this roadway. Staff recommended denial.

ATTORNEY JOHN MORAN, JR., Moran and Associates, 630 South 4th Street, appeared to represent the applicant. This project is compatible with the area. The location should be looked at, the project itself, the impact of the project, what is in the neighborhood for support of the project, and where the supporters and protestants come from. This site fronts on Buffalo Drive, which is a north/south major arterial. It is presently striped in the front of this project for four lanes and will be six lanes in the future.

There was a rezoning application made on this site in 1995 and was approved by the Planning Commission in 1996, but was denied by the City Council.

Since 1996 the City has had approved a 45-acre regional park right across the street. The park has 800 parking spaces and five football fields. That will make it difficult to build residences across the street from the park. The park will be open later in the evening than an office complex.

The residents in the area are in favor of this project. He submitted a petition to the Clerk with 114 signatures in approval.

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GPA-0017-01 - W.M. LAND DEVELOPMENT

This project is single story and will only be open during working hours five days a week. It is buffered by the developers adjacent property. This is a transitional use between the park and the residential.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. He does not want to see Buffalo Drive turn into a similar situation that exists along Jones Boulevard with the residences turned into offices. Perhaps this is the right development for this site.

VINCENT MURONE, 7808 Foothill Ash Avenue, appeared in protest. This will change the traffic pattern in the area. It is a residential area. There is a commercial corridor on Sahara Avenue and Charleston Boulevard. The residents are in favor of the park. The developer has already started to grade the subject property.

BILL MADIGAN, 1504 Ten Palms Court, appeared in protest. He wants this area to remain residential.

JAN COBB, 1508 Ten Palms Court, appeared in protest. She concurred with the previous protestants.

MARY GREEN, 1870 Black Water Court, appeared in protest. This is a unique area with small developments of single-family homes. In 1998 the City Council approved a change from Rural Density Residential to Desert Rural Residential. That was to add another layer of protection for the residents. From Tropicana to Flamingo on both sides of Buffalo are numerous homes. From Spring Mountain to Sahara are homes along Buffalo. Canyon Gate has homes backing up to Durango. Spanish Trails has homes backing up to Rainbow and Tropicana. Empty office complexes create trouble. This property should be developed with single-family homes with access off Del Rey or Tioga. This is a young neighborhood that needs protection.

KATHY MADIGAN, 1504 Ten Palms Court, appeared in protest. This is not a commercial area. This should remain residential.

JORINA GARETTO, 1500 Ten Palms Court, appeared in protest. MR. CURLAND builds beautiful projects. She purchased her home recently and does not want to live in a business area. This will bring crime into the area.

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GPA-0017-01 - W.M. LAND DEVELOPMENT

TOM FTIGHT, 7481 Crystal Forest, appeared in approval. This property is vacant land. This will be a beautiful office building and would bring in tax dollars.

CLETA THOMPSON, 1710 South Buffalo Drive, appeared in protest. When the park was proposed the residents were told it was to keep professional buildings out of the neighborhood. This area should remain residential.

BOB SHERMAN, Ten Oaks, 7416 Doe Avenue, appeared in approval. In 1996 there were several proposals for commercial and offices along Buffalo. This parcel will not be developed as residential. There is a fear that allowing an office complex will mean convenience stores and bars. He is the designer of this project.

BOB REITER, 1441 South Monte Cristo Way, appeared in approval. He did not feel this will increase the crime rate in the area. This property will not be developed with homes.

RICHARD HARBER, 1700 Brock Court, appeared in approval. There is a baseball field across from him with lighting at night. Nobody is going to build homes on this property. This will be a nice office. There will be more crime at the park than at this office complex.

JAN COBB, 1508 Ten Palms Court, appeared in protest. This property was zoned residential and it is not the responsibility of the City to bail the developer out.

CHAIRMAN GALATI declared the Public Hearing closed.

ATTORNEY MORAN appeared in rebuttal. Traffic patterns have changed in this area, which is why this parcel should be developed as offices. The lights from the park will be on when it gets dark, which is around 5:00 P.M. in the winter months. This is the perfect low intensity compatible use. To summarize, this project is single story, heavily landscaped, has more than adequate parking and neighbors are in support. MR. CURLAND has been having his property graded for the purpose of giving 50,000 cubic yards of dirt to the School District at no charge, which goes for about \$3.50 per cubic yard.

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GPA-0017-01 - W.M. LAND DEVELOPMENT

COMMISSIONER BUCKLEY commented that the park makes a difference in this neighborhood. The fact that this DR area was allowed to be created is because of what happened along Charleston, Rainbow and Sahara. The developments along those streets have allowed the DR area to develop as well as it has. He is impressed with the neighborhood approval. This is a chance for a good development on Buffalo Drive.

COMMISSIONER QUINN agreed with COMMISSIONER BUCKLEY. He felt that if this property were developed with homes, they would be difficult to sell. He did not feel that persons working in the office complex would be drinking. There is usually more crime generated in a park than in an office complex. When a developer makes a big investment they do not allow people to put graffiti on the property. It would be difficult to build a wall high enough to hide the light from the park.

COMMISSIONER GOYNES said he was impressed that this neighborhood has had input into this project.

COMMISSIONER McSWAIN commented that the lighting creates an impact issue.

COMMISSIONER TRUESDELL noted that this is on a major arterial with another office complex on Buffalo Drive. He took a look at that complex and found it has very little impact on the adjacent neighbors. The project being proposed is better designed and more densely landscaped. If this is not approved, a less appealing project could be approved in future years.

CHAIRMAN GALATI said there are similar projects on North Buffalo and the residents don't find them objectionable. When he lived in Desert Shores, the homes that backed up to Buffalo were the ones that were turning over due to the traffic. The park has a big impact on this property.

COMMISSIONER McSWAIN commented that if homes are built on this project they will probably not be of the quality and character of that neighborhood.

NOTE: See Item Nos. A-1, B-19 and B-20 for related discussion.

To be heard by the City Council on August 15, 2001.

(9:00 - 9:55) 2 - 2940

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ITEM

ACTION

B-19.

Z-0043-01 - W.M. LAND DEVELOPMENT

Request for a Rezoning FROM: R-E (Residence Estates) TO: O (Office) of 5.4 Acres on the east side of Buffalo Drive, approximately 1,450 feet south of Charleston Boulevard (APN's: 163-03-201-001 & 002), PROPOSED USE: PROFESSIONAL OFFICE, Ward 1 (M. McDonald).

NOTICES MAILED 1,832 [Mailed with GPA-0017-01 and Z-0043-01(1)]

APPROVALS 101

PROTESTS 35

STAFF RECOMMENDATION: DENIAL, If Approved, subject to:

Planning and Development

1. The City Council shall approve a General Plan Amendment (GPA-0017-01) to an O (Office) land use designation.

2. A Resolution of Intent with a two-year time limit.

3. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Construct all incomplete half-street improvements, if any, on Buffalo Drive adjacent to this site concurrent with development of this site. Dedication and construction of the south half Del Rey Avenue shall be in accordance with the requirements for the approved Vacation VAC-0003-00.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS AND ADDITIONAL CONDITION THAT ANY REVISED PROJECT WOULD HAVE TO COME BEFORE THE PLANNING COMMISSION AND CITY COUNCIL AT A PUBLIC HEARING.

Motion carried with Littlefield excused.

TROY JESCHKE, Planning and Development, stated this property is currently designated as DR (Desert Rural) on the Southwest Sector Map of the General Plan. The rezoning to O (Office) will be incompatible with the surrounding R-E (Residence Estates) and the R-PD2 (Residential Planned Development) of 2.0 units per acre to the north, south and east of this site. There are no other properties designated for office or commercial development along either side of Buffalo Drive south of this site. Staff recommended denial.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

ATTORNEY JOHN MORAN, JR., Moran and Associates
TODD FARLOW, 240 North 19th Street
VINCENT MURONE, 7808 Foothill Ash Avenue
BILL MADIGAN, 1504 Ten Palms Court
JAN COBB, 1508 Ten Palms Court
MARY GREEN, 1870 Black Water Court
KATHY MADIGAN, 1504 Ten Palms Court
JORINA GARETTO, 1500 Ten Palms Court
TOM FTIGHT, 7481 Crystal Forest
CLETA THOMPSON, 1710 South Buffalo Drive
BOB SHERMAN, Ten Oaks, 7416 Doe Avenue
BOB REITER, 1441 South Monte Cristo Way
RICHARD HARBER, 1700 Brock Court
JAN COBB, 1508 Ten Palms Court

CHAIRMAN GALATI declared the Public Hearing closed.

ROBERT GENZER, Planning and Development, suggested amending Condition No. 3 to reflect that any subsequent Site Development Plan Review shall come back before the Planning Commission and City Council.

NOTE: See Item Nos. A-1, B-18 and B-20 for related discussion.

To be heard by the City Council on August 15, 2001.

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ACTION

Z-0043-01 - W.M. LAND DEVELOPMENT

APPROVED

5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

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ACTION

Z-0043-01 - W.M. LAND DEVELOPMENT

APPROVED

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

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ITEM

ACTION

B-20.

Z-0043-01(1) - W.M. LAND DEVELOPMENT

Request for a Site Development Plan Review FOR A PROPOSED 44,000 SQUARE FOOT PROFESSIONAL OFFICE COMPLEX on the east side of Buffalo Drive, approximately 1,450 feet south of Charleston Boulevard (APN's: 163-03-201-001 & 002), R-E (Residence Estates) Zone, [PROPOSED: O (Office)], Ward 1 (M. McDonald).

NOTICES MAILED 1,832 [Mailed with GPA-0017-01 and Z-0043-01]

APPROVALS 101

PROTESTS 35

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. The City Council shall approve a Rezoning (Z-0043-01) to an O (Office) Zoning District.

2. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

3. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

4. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Motion carried with Littlefield excused.

TROY JESCHKE, Planning and Development, stated the access to this site is via two driveways onto Buffalo Drive. The site plan depicts eight standalone buildings situated in two groups of four. Each building group surrounds a small courtyard area. The parking encircles the buildings and carports are shown along the north, east and south property lines. The landscape plan depicts a minimum 15-foot wide planter along Buffalo Drive frontage and an 8 to 10 foot wide planter along the north, east and south property lines. The building elevations depict a modified Spanish Mission style architecture with beige stucco wall construction and a mansard roof with reddish tile. The 44,000 square foot professional office complex will be incompatible with the surrounding R-E and R-PD2 zoning to the north, east and south of this site. Staff recommended denial.

CAPPY HAYES, VTN Nevada, 2727 South Rainbow Boulevard, appeared to represent the applicant. They plan to use the front portion after it is vacated to become a private drive, so this parcel and the adjacent parcel will limit the driveway cuts on Buffalo Drive. The portion of Del Rey that is being vacated to the west of this site is a half street and includes a number of utilities, as well as drainage issues.

COMMISSIONER TRUESDELL urged the developer to vacate the right-of-way on Del Rey.

CHAIRMAN GALATI felt this architecture is very pleasing and will be a nice addition to this neighborhood.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

ATTORNEY JOHN MORAN, JR., Moran and Associates
TODD FARLOW, 240 North 19th Street
VINCENT MURONE, 7808 Foothill Ash Avenue
BILL MADIGAN, 1504 Ten Palms Court
JAN COBB, 1508 Ten Palms Court
MARY GREEN, 1870 Black Water Court
KATHY MADIGAN, 1504 Ten Palms Court
JORINA GARETTO, 1500 Ten Palms Court
TOM FTIGHT, 7481 Crystal Forest
CLETA THOMPSON, 1710 South Buffalo Drive
BOB SHERMAN, Ten Oaks, 7416 Doe Avenue

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ACTION

Z-0043-01(1) - W.M. LAND DEVELOPMENT

5. All City Code requirements and design standards of all City departments must be satisfied.

6. If not already existing, the applicant shall construct a six-foot high decorative block wall, with at least 20 percent contrasting materials, along the side and rear property lines. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

7. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

8. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Public Works

9. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

10. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits. If such an agreement cannot be provided, this site plan must be revised to incorporate only the south portion of Del Rey Avenue into this site.

BOB REITER, 1441 South Monte Cristo Way
RICHARD HARBER, 1700 Brock Court
JAN COBB, 1508 Ten Palms Court

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. A-1, B-18 and B-19 for related discussion.

To be heard by the City Council on August 15, 2001.

(9:00 - 9:55) 2 - 2940

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ITEM

ACTION

Z-0043-01(1) - W.M. LAND DEVELOPMENT

APPROVED

11. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-0043-01, on this same agenda, and all other subsequent site-related actions.

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ITEM

ACTION

B-21.

**GPA-0018-01 - BUFFALO/WASHINGTON
LIMITED LIABILITY COMPANY**

Request to amend the Southwest Sector Map of the General Plan FROM: O (Office) TO: SC (Service Commercial) on 2.35 Acres on the north side of Summerlin Parkway, approximately 1,250 feet east of Buffalo Drive (APN: 138-27-301-001), Ward 2 (L.B. McDonald).

NOTICES MAILED 291 [Mailed with Z-0044-01]

APPROVALS 1 Speaker

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL

Quinn -

APPROVED

Motion carried with Littlefield excused.

GARY LEOBOLD, Planning and Development, stated Section 19A, 18.030(i) of the City of Las Vegas Zoning Ordinance requires four conditions to be met in order to justify a General Plan Amendment. All those conditions are being met with this application. This is a logical infill of a vacant parcel in a substantially developed area. The applicant held the required neighborhood meeting on June 28, 2001 at the Regent Grand Palm Hotel. A resident from the adjacent rental apartment complex attended the meeting and appeared in favor of the application. No one else attended that meeting to support or object to this application. Staff recommended approval.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor
DAN WEBER, 7401 Washington Avenue

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-22 for related discussion.

To be heard by the City Council on August 15, 2001.

(9:55 - 10:02) 3 - 1500

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ITEM

ACTION

B-22.

Z-0044-01 - BUFFALO/WASHINGTON LIMITED LIABILITY COMPANY

Request for a Rezoning FROM: U (Undeveloped) [O (Office) General Plan Designation] under Resolution of Intent to O (Office)] TO: C-1 (Limited Commercial) of 2.35 Acres on the north side of Summerlin Parkway, approximately 1,250 feet east of Buffalo Drive (APN: 138-27-301-001), PROPOSED USE: FITNESS CENTER, Ward 2 (L.B. McDonald).

NOTICES MAILED 291 [Mailed with GPA-0018-01]

APPROVALS 1 Speaker

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application shall be approved by the Planning and Development Department prior to approval of issuance or any permits, any site grading, and all development activity on this site.

Public Works

3. A Parcel Map must be recorded for this site to establish property boundaries prior to the issuance of any permits for this site.
4. Dedicate or obtain dedication or grant easements for 75 feet of right-of-way adjacent to this site for Buffalo Drive, 40 feet for Washington Avenue, a 54 foot radius at the southeast corner of Buffalo Drive and Washington Avenue, all portions of the Buffalo off-ramp and slope easement needed for the existing improvements, and appropriate Drainage Channel areas as required by the Drainage Study prior to the issuance of any permits.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS AND CONDITION NO. 2 AMENDED TO HAVE SITE DEVELOPMENT PLAN REVIEW HEARD BY THE PLANNING COMMISSION AND CITY COUNCIL AT A PUBLIC HEARING.

Motion carried with Littlefield excused.

TROY JESCHKE, Planning and Development, stated the C-1 (Limited Commercial) zoning will allow a comparable intensity of uses to the R-PD20 residential planned development, 20 units per acre, to the east and the C-1 (Limited Commercial) zoning adjacent to the west. This zone change will rectify the zoning of an isolated O (Office) zoned parcel. Staff recommended approval, subject to the conditions.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent the property owner. This property is right behind the existing K-Mart center on the corner of Buffalo and Washington. To the north is planned for SC (Service Commercial). It exists as multi-family at this time. To the west is multi-family, but it is planned for SC (Service Commercial). This use is compatible and harmonious with the surrounding uses in this area. He requested a condition that would state they have to appear before the Planning Commission and City Council for a Site Development Plan Review as a Public Hearing. They are working with the adjacent property owner of the multi-family development.

CHAIRMAN GALATI declared the Public Hearing open.

DAN WEBER, 7401 Washington Avenue, appeared in favor to represent the owners of the St. Moritz apartments. They appreciated working with the developer. Their only exception is the proximity of their building to about a dozen of the units on the east side of the subject property.

CHAIRMAN GALATI declared the Public Hearing closed.

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5. Submit an encroachment agreement for the proposed ingress/egress bridge over the Pioneer Channel prior to the issuance of permits for such bridge. All costs associated with the ingress/egress bridge access shall be the responsibility of the developer. The design and layout of this site and the ingress/egress access bridge shall meet the approval of the Department of Fire Services prior to the issuance of any permits. Additional and/or alternate access routes may be required.

6. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine appropriate public sewer connection points prior to the submittal of sewer construction drawings. Site development shall comply with the recommendations of the Collection Systems Planning Section.

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities

MR. JESCHKE requested Condition No. 2 be amended so that any Site Development Plan Review for this site shall be heard by the Planning Commission and City Council at a Public Hearing.

NOTE: See Item No. B-21 for related discussion.

To be heard by the City Council on August 15, 2001.

(9:55 - 10:02) 3 - 1500

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APPROVED

unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

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ACTION

B-23.

Z-0040-01 – STEVE KABOLI ON BEHALF OF BOXING I NETWORK INC.

Request for a Rezoning FROM: U (Undeveloped) Zone, [R (Rural Density Residential) General Plan Designation] TO: C-1 (Limited Commercial) on 1.50 Acres at the northeast corner of Leonard Lane and Vegas Drive (APN: 138-24-803-028), PROPOSED USE: BOXING TRAINING CENTER, Ward 5 (Weekly).

NOTICES MAILED 142 [Mailed with V-0043-01 and Z-0040-01(1)]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Construct all incomplete half-street improvements on Vegas Drive and Leonard Lane adjacent to this site concurrent with development of this site.

4. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Littlefield excused.

TROY JESCHKE, Planning and Development, stated the C-1 (Limited Commercial) zoning will be consistent with the SC (Service Commercial) General Plan designation. Furthermore, the type of uses allowed under the C-1 zoning will be compatible with the adjacent residential uses in zoning districts if proper buffering is implemented. Staff recommended approval, subject to the conditions.

KENNETH ERLANGER, KJE Consulting Engineers, 3514 East Tropicana Avenue, Suite 2, appeared to represent the applicant. He concurred with the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-2, B-24 and B-25 for related discussion.

To be heard by the City Council on August 15, 2001.

(10:02 - 10:13) 3 - 1799

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Z-0040-01 – STEVE KABOLI ON BEHALF OF BOXING I NETWORK INC.

APPROVED

5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

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ACTION

B-24.

V-0043-01 – STEVE KABOLI ON BEHALF OF BOXING I NETWORK INC.

Request for a Variance TO ALLOW A PROPOSED BUILDING TO BE 30 FEET FROM THE NORTH PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SETBACK OF 105 FEET located on the northeast corner of Leonard Lane and Vegas Drive, (APN: 138-24-803-028) U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation], [PROPOSED: C-1 (Limited Commercial)], Ward 5 (Weekly).

NOTICES MAILED 142 [Mailed with Z-0040-01 and Z-0040-01(1)]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Variance is not exercised within two (2) years after the approval by City Council, then this Variance shall be void unless an Extension of Time is granted.

2. City Code requirements and design standards of all City Departments that are not affected by the approval of the Variance must be satisfied.

3. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0040-01) and Site Development Plan Review [Z-0040-01(1)].

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Littlefield excused.

TROY JESCHKE, Planning and Development, stated Section 19A.08.060 of the Las Vegas Zoning Code states that no building in a non-residential district may exceed the height of a line drawn from a residential property line in a residential district at a 3 to 1 slope directly into the subject non-residential property. In this case, the proposed building will encroach 75 feet into the required residential adjacency setback. However, staff finds evidence of the hardship and that the lot is unusual in shape; therefore, making it difficult to meet the residential adjacency setbacks. Staff recommended approval, subject to the conditions.

KENNETH ERLANGER, KJE Consulting Engineers, 3514 East Tropicana Avenue, Suite 2, appeared to represent the applicant.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-2, B-23 and B-25 for related discussion.

To be heard by the City Council on August 15, 2001.

(10:02 - 10:13) 3 - 1799

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ACTION

B-25.

Z-0040-01(1) – STEVE KABOLI ON BEHALF OF BOXING I NETWORK INC.

Request for a Site Development Plan Review and a Reduction in the amount of Required Perimeter Landscaping FOR A PROPOSED 12,000 SQUARE FOOT BOXING TRAINING CENTER on 1.50 Acres on the northeast corner of Leonard Lane and Vegas Drive (APN: 138-24-803-028), U (Undeveloped) Zone, [R (Rural Density Residential) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly).

NOTICES MAILED 142 [Mailed with Z-0040-01 and V-0043-01]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Site development shall conform to the submitted plans and elevations, except as amended by conditions.
2. An emergency crash-gate shall be installed at the end of the fire-lane located to the rear of the building in an effort to prevent access to Leonard Lane.
3. The site plan shall be revised to depict the trash enclosure more than 50 feet away from any residential property lines as required by Section 19A.08.060(G) of the Las Vegas Zoning Code.
4. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Littlefield excused.

TROY JESCHKE, Planning and Development, stated the boxing training center will be located on the southwest corner of this property. There will be parking located to the east of the building and north of that. The building elevations depict split-faced block with contrasting smooth face block and stucco. The building has a flat roof and the total height is 31 feet. The floor plan indicates a 24 square foot boxing ring with bleachers around it and two smaller 16 square foot practice rings and exercise areas with men's and women's locker rooms. The site plan is appropriate and the building meets all applicable setbacks with the exception of the residential adjacency referred to in the Variance and provides an orderly layout for the site.

Staff has a concern with the fire lane shown at the rear of the building. There is a condition requiring a revised site plan that indicates a crash gate at the end of the fire lane to prevent customer access to Leonard Lane, which is a residential street. In addition, the trash enclosure is too close to the neighboring residential property so there is a condition requiring the trash enclosure be moved to be in compliance with the requirements of the Zoning Code.

The landscaping is appropriate for the most part. It includes a twenty-foot wide planter along Vegas Drive in front of the building and a ten-foot wide planter adjacent to the parking lot. A fifteen-foot wide planter is shown along the Leonard Lane frontage and a twelve-foot wide planter to the rear of the building, adjacent to the residence to the north. Minimum eight-foot wide planters are portrayed along the perimeter of the parking area. The Urban Design Guidelines and Standards require a minimum of 15 feet of landscaping adjacent to street frontages. The applicant has requested a reduction in the amount of landscaping. That request is warranted because of the additional landscaping being provided elsewhere along Vegas Drive. The average width of landscaping along Vegas Drive is in excess of 15 feet, thereby meeting the intent of the standards. The submitted building and landscape materials are appropriate for the area and will be an improvement to the site and result in an aesthetically pleasing site.

Staff recommended approval, subject to the conditions.

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Z-0040-01(1) – STEVE KABOLI ON BEHALF OF BOXING I NETWORK INC.

5. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

7. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

Public Works

8. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. Also, the proposed driveway to the north of the building shall be posted as a one-way exit only driveway unless otherwise allowed by the Traffic Engineer.

9. Site development shall be designed so as to not interfere with the existing 20 foot wide public drainage easement along the north edge of this site.

10. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-0040-01 and Variance V-0043-01, on this same agenda, and all other subsequent site-related actions as required by the Department of Public Works and the Planning and Development Department.

KENNETH ERLANGER, KJE Consulting Engineers, 3514 East Tropicana Avenue, Suite 2, appeared to represent the applicant.

NOTE: See Item Nos. B-2, B-23 and B-24 for related discussion.

To be heard by the City Council on August 15, 2001.

(10:02 - 10:13) 3 - 1799

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ACTION

B-26.

Z-0042-01 - EARLENE LUND

Request for a Rezoning FROM: U (Undeveloped) [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) on 1.41 Acres on the south side of Kyle Canyon Road, approximately 1,000 feet west of US-95 (APN: 126-01-702-009), PROPOSED USE: CONVENIENCE STORE, Ward 6 (Mack).

NOTICES MAILED 22 (Mailed with U-0092-01 & U-0093-01)

APPROVALS 0

PROTESTS 4 Speakers

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application shall be approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

3. Construct half-street improvements including appropriate overpaving (if legally able) on the Frontage Road adjacent to this site concurrent with development of this site, also, construct a minimum of 2 lanes of paved access from Kyle Canyon Road to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. All improvements within Nevada Department of Transportation right-of-way shall meet Nevada Department of Transportation approval.

**Buckley -
DENIED**

Motion carried with Quinn and Truesdell voting No and Goynes and Littlefield excused.

ANDREW REED, Planning and Development, stated the C-1 (Limited Commercial) is compatible with the SC (Service Commercial) designation. The requested rezoning is appropriate for this property, but commercial development of this property is premature. There is no utility infrastructure available to serve this site and no developed parcels within 2,100 feet. Staff recommended approval, subject to the conditions.

HAROLD FOSTER, 3230 Polaris Avenue, appeared to represent the applicant. The County just approved C-2 zoning in January of this year on the southwest corner of the Frontage Road and Kyle Canyon Road with the major focus being a convenience store and retail buildings along the south portion of the property. Both the Planning Commission and County Commission approved that particular development because of the interchange. This store is to serve the residents in the Kyle Canyon area, as well as the large number of visitors to the area on a daily basis. He concurred with the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

RABU HONZALA, 10425 Log Cabin Way, appeared in protest. The County Commission made the previous application C-1 zoning, which is a limited use. There are 12 or 13 service stations from Lone Mountain to the intersection of Kyle Canyon Road. This is premature because the public utilities are not available.

MICHAEL STEINBRINK, 14150 Kyle Canyon Road, appeared in protest. He thought the applicant is requesting C-1 zoning in order to sell it for a higher price. Kyle Canyon Road was designated in 1997 as a scenic byway. This is premature.

EDWARD LOCKE, 7433 Bush Garden Avenue, appeared in protest. He is in the process of building a house in the area. Kyle Canyon is a scenic highway. He purchased his property to get away from commercial businesses. To purchase a house the buyer needs 5 acres in that area.

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Z-0042-01 - EARLENE LUND

Public Works

4. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. Also, the proposed driveways shall receive approval from the Nevada Department of Transportation.

5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of

LOUISE RUSKAMP, 8500 Log Cabin Way, appeared in protest. When this came in for annexation the Planning Commission had it pulled from the Consent portion of the agenda because there was a concern as to whether this area was ripe for development for convenience stores, etc. When the County Commission approved the zone change to C-1, the City wrote a letter protesting that at the time. At some point this area will be developed. The Town Center is just barely getting started.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER BUCKLEY commented that he participated in the 2020 Master Plan. This is an area that is special. He echoed what Chris Knight wrote to the County Commission back in December that at this time no approved community master plan exists for this area, so the application should be considered premature.

COMMISSIONER TRUESDELL noted that there is C-2 surrounding this site. This is a property owner that is offering a legitimate use.

COMMISSIONER BUCKLEY felt a community plan needs to be done for this area and applications be deferred until that is done. COMMISSIONER McSWAIN asked the time frame for a community plan for this area.

COMMISSIONER BUCKLEY felt that if the City Council follows the Planning Commission's recommendation it reinforces the City's position to the County that the City is serious about this area.

CHAIRMAN GALATI thought denial of this application could encourage more dialogue between the City and County for the development of this area.

NOTE: See Item Nos. B-27 and B-28 for related discussion.

NOTE: COMMISSIONER GOYNES left the meeting at 10:13 P.M.

To be heard by the City Council on August 15, 2001.

(10:13 - 10:41) 3 - 2260

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Z-0042-01 - EARLENE LUND

permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

7. Landscape and maintain all unimproved right(s)-of-way on Kyle Canton Road and the Frontage Road adjacent to this site.

8. Submit an application for an Occupancy Permit for all landscaping and private improvements in the Kyle Canyon Road and Frontage Road public right-of-way adjacent to this site prior to the issuance of any permits for this site.

DENIED

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ACTION

B-27.

U-0092-01 - EARLENE LUND

Request for a Special Use Permit FOR A SERVICE STATION (GASOLINE SALES) IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on the south side of Kyle Canyon Road, approximately 1,000 feet west of US-95 (APN: 126-01-702-009), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] PROPOSED: C-1 (Limited Commercial), Ward 6 (Mack).

NOTICES MAILED 22 (Mailed with Z-0042-01 and U-0093-01)

APPROVALS 0

PROTESTS 4 Speakers

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Underground fuel storage tanks and associated pipelines shall be of double-wall construction or shall incorporate a form of "secondary containment" to limit the potential releases of fuel to the environment.
2. The gas station shall incorporate a continuous leak detection system to monitor for potential fuel releases.
3. Conformance to all Minimum Requirements under Title 19A.04.050 for the sale of gasoline.
4. Approval of and conformance to the Conditions of Approval for Rezoning (Z—0042-01).
5. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council. *New Construction*

Buckley - DENIED

Motion carried with Quinn and Truesdell voting No, Goynes not voting, and Littlefield excused.

ANDREW REED, Planning and Development, stated the proposed commercial use of this property is premature and not compatible with existing surrounding land uses because there are no developed parcels within 2,100 feet of this site. The surrounding area is entirely rural residential in character so commercial uses are neither compatible nor necessary to serve surrounding residents at this time. Staff recommended denial.

HAROLD FOSTER, 3230 Polaris Avenue, appeared to represent the applicant. They want to establish the use at this time because the County could approve one on either corner as the Frontage Road goes to the north. The right-of-way on Kyle Canyon is 400 feet wide and is used in connection with the interchange. The convenience store can be developed without city sewer or public water, but with a commercial well and septic tank. When those utilities are available in the area this project would connect to those public facilities. They have not submitted a Site Development Plan Review, as there are some issues that need to be worked out. The access is on Kyle Canyon Road, but the access has to be worked out further with the Nevada Department of Transportation. The Frontage Road is 100 feet wide. When this property was annexed a year ago the justification was that they intended to construct this type of use.

CHAIRMAN GALATI declared the Public Hearing open.

RABU HONZALA, 10425 Log Cabin Way, appeared in protest. This is premature because the public utilities are not available.

MICHAEL STEINBRINK, 14150 Kyle Canyon Road, appeared in protest. This is premature.

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U-0092-01 - EARLENE LUND

6. All City Code requirements and design standards of all City departments must be satisfied.

EDWARD LOCKE, 7433 Bush Garden Avenue, appeared in protest. He is in the process of building a house in the area. Kyle Canyon is a scenic highway. He purchased his property to get away from commercial businesses.

LOUISE RUSKAMP, 8500 Log Cabin Way, appeared in protest. When this came in for annexation the Planning Commission had it pulled from the Consent portion of the agenda because there was a concern as to whether this area was ripe for development for convenience stores, etc. When the County Commission approved the zone change to C-1, the City wrote a letter protesting that at the time. At some point this area will be developed.

CHAIRMAN GALATI declared the Public Hearing closed.

MR. FOSTER appeared in rebuttal. The scenic highway is primarily the drive between the interchange and going up the mountain. There is a mile around the interchange that is designated on the Master Plan for commercial.

ROBERT GENZER, Planning and Development, responded that staff has been focusing on Town Center. Staff's recommendation is based on the fact this proposal is in conformance with the Centennial Hills Master Plan Land Use Plan for the area. However, Special Use Permits have to be based on standards in Title 19A. At this time there does not seem to be a justification for a Special Use Permit based on those standards.

CHAIRMAN GALATI added that in due time this will be a commercial site. There needs to be a good idea as to how this area should be developed. If it is going to be a gateway it should be designed as such rather than haphazardly.

NOTE: See Item Nos. B-26 and B-28 for related discussion.

NOTE: COMMISSIONER GOYNES left the meeting at 10:13 P.M.

To be heard by the City Council on August 15, 2001.

(10:13 - 10:41) 3 - 2260

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ROBERT GENZER, Planning and Development, responded that staff has been focusing on Town Center. Staff's recommendation is based on the fact this proposal is in conformance with the Centennial Hills Master Plan Land Use Plan for the area. However, Special Use Permits have to be based on standards in Title 19A. At this time there does not seem to be a justification for a Special Use Permit based on those standards.

CHAIRMAN GALATI added that in due time this will be a commercial site. There needs to be a good idea as to how this area should be developed. If it is going to be a gateway it should be designed as such rather than haphazardly.

NOTE: See Item Nos. B-26 and B-28 for related discussion.

To be heard by the City Council on August 15, 2001.

(10:13 - 10:41) 3 - 2260

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ACTION

B-28.

U-0093-01 - EARLENE LUND

Request for a Special Use Permit FOR THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on the south side of Kyle Canyon Road, approximately 1,000 feet west of US-95 (APN: 126-01-702-009), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], PROPOSED: C-1 (Limited Commercial), Ward 6 (Mack).

NOTICES MAILED 22 (Mailed with Z-0042-01 and U-0092-01)

APPROVALS 0

PROTESTS 4 Speakers

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19A.04.050 for the sale of beer and wine.
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0042-01).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

Buckley - DENIED

Motion carried with Quinn and Truesdell voting No, Goynes not voting, and Littlefield excused.

ANDREW REED, Planning and Development, stated the proposed commercial use of this property is premature and not compatible with existing surrounding land uses because there are no developed parcels within 2,100 feet of this site. The surrounding area is entirely rural residential in character so commercial uses are neither compatible nor necessary to serve surrounding residents at this time. Staff recommended denial.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

HAROLD FOSTER, 3230 Polaris Avenue
RABU HONZALA, 10425 Log Cabin Way
MICHAEL STEINBRINK, 14150 Kyle Canyon Road
EDWARD LOCKE, 7433 Bush Garden Avenue
LOUISE RUSKAMP, 8500 Log Cabin Way

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-26 and B-27 for related discussion.

NOTE: COMMISSIONER GOYNES left the meeting at 10:13 P.M.

To be heard by the City Council on August 15, 2001.

(10:13 - 10:41) 3 - 2260

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U-0093-01 - EARLENE LUND

7. The sale of individual containers of any size beer, wine coolers, or screw cap wine is prohibited.

8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

DENIED

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ACTION

B-29.

V-0043-96(1) - BUFFALO INVESTMENTS, INC.

Required Five Year Review of an Approved Variance WHICH ALLOWED AN EXISTING NON-CONFORMING OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE RELOCATED FROM 280 FEET TO 130 FEET FROM A RESIDENTIAL ZONING DISTRICT, WHERE 300 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED at 911 North Buffalo Drive (APN: 138-28-620-005), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald).

NOTICES MAILED 229

APPROVALS 0

PROTESTS 2

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. If the existing off-premise advertising sign structure is removed, this approval shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining due to the fact his law firm is working with Mr. Black, Truesdell abstaining due to the fact he is in negotiations with Mr. Black on a piece of property, with Goynes and Littlefield excused.

ANDREW REED, Planning and Development, stated the residential uses to the north and west of this site were in existence when this Variance was approved by the City Council in 1996. At that time the Council determined that this Variance was compatible with surrounding land uses. Based on that determination, staff recommended approval, subject to the conditions.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent Robert Black, Sr. He concurred staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on August 15, 2001.

(10:41 - 10:43) 3 - 3725 RECESS

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V-0043-96(1) - BUFFALO INVESTMENTS, INC.

APPROVED

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

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ITEM

ACTION

B-30.

V-0041-01 - ANTONIO JONES

Request for a Variance TO ALLOW AN EXISTING GARAGE ADDITION 48 FEET FROM THE FRONT PROPERTY LINE WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED AND 10 FEET FROM THE CORNER SIDE PROPERTY LINE WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED located at 1333 Comstock Street (APN: 139-28-110-042), R-E (Residence Estates) Zone, Ward 5 (Weekly).

NOTICES MAILED 77

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

1. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITION.

Motion carried with Goynes and Littlefield excused.

ANDREW REED, Planning and Development, stated the applicant indicates that the contractor he hired to construct the addition assured him that he would obtain the necessary permits. The applicant has since determined that no permits were acquired. Many existing structures in this neighborhood have similar setbacks and finds approval of this Variance may be granted without substantial detriment to the public good, without substantial impairment of natural resources, and without substantially impairing the intent of any ordinance or resolution. Staff recommended approval, subject to the condition.

ANTONIO JONES, 1333 Comstock Street, appeared to represent the application. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on August 15, 2001.

(10:58 - 11:00) 4 - 50

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ACTION

B-31.

**V-0048-01 - REPUBLICA MUSICANA, LIMITED
LIABILITY COMPANY**

Request for a Variance TO ALLOW A SECOND KITCHEN WHERE ONLY ONE KITCHEN IS ALLOWED at 2801 Pinto Lane (APN: 139-32-306-020), R-A (Ranch Acres) Zone, Ward 1 (M. McDonald).

NOTICES MAILED 53

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. All development must be in conformance with the submitted site plans and elevations.
2. City Code requirements and design standards of all City Departments which are not affected by approval of this Variance must be satisfied.
3. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

Public Works

4. Sign and record a Covenant Running with Land agreement for the possible future installation of half-street improvements (including curb and gutter, sidewalks, streetlighting, permanent paving and possibly fire hydrants and sewers) on Pinto Lane adjacent to this site prior to the issuance of any permits. (Public Works)

Quinn -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Motion carried with Goynes and Littlefield excused.**

TROY JESCHKE, Planning and Development, stated this site is currently developed with four buildings. The main dwelling is toward the front of the property with three accessory buildings located towards the rear. The southeastern building has a bar and grille with a formal dining room. The applicant states this area is not for use in the preparing of every day meals, nor is it intended as a living area. There are multiple buildings on this site and the kitchens are in separate buildings, which makes for extraordinary circumstances associated with this site. In addition, the site has the ambiance of a resort rather than that of a single-family dwelling. Furthermore, other Variances of a similar nature have been approved in the surrounding area. Staff recommended approval, subject to the conditions.

GILBERT MONREAL, Designer, 6080 Harrison Drive, appeared to represent the applicant. He concurred with the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on August 15, 2001.

(11:00 - 11:02) 4 - 141

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ACTION

B-32.

U-0085-01 - BOLZ LIMITED LIABILITY COMPANY ET AL ON BEHALF OF CINGULAR WIRELESS

Request for a Special Use Permit FOR A PROPOSED 60 FOOT TALL WIRELESS COMMUNICATIONS MONOPOLE on the southeast corner of the intersection of Oakey Boulevard and Decatur Boulevard (APN: 162-06-301-002) C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald).

NOTICES MAILED 391

APPROVALS 1 Speaker

PROTESTS 2

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. The communications monopole and its associated equipment and facility shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the communications monopole and its associated equipment.

Buckley -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Motion carried with Goynes and Littlefield excused.**

ANDREW REED, Planning and Development, stated the elevations indicate the tower will be designed to appear as a flagpole and will have sufficient space to accommodate two carriers. There are commercial uses adjacent to this property so this tower is compatible with the surrounding development. Staff recommended approval, subject to the conditions.

ROGER SPENCER, Cingular Wireless, 1211 Town Center Drive, Suite 100, appeared to represent the application. This is a request for a 60-foot tall wireless site in a commercial district where 45 feet is permitted. The design of the flagpole follows the intent of the proposed zoning code for cell sites. They are set back 15 to 1 from the residents to the east.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. He liked the idea of something besides just a pole.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER BUCKLEY asked the height of the light poles in the area. MR. SPENCER said they are approximately 40 feet tall.

COMMISSIONER QUINN asked if this is a true flag and whether it will be taken up and down every day. MR. SPENCER responded that the flag will remain in the same place every day and have accent lighting on it.

COMMISSIONER TRUESDELL asked why there is a request for a difference in height from the required 45 feet. MR. SPENCER answered the reason is because of co-location and the average clutter height is 40 feet.

To be heard by the City Council on August 15, 2001.

(11:02 - 11:07) 4 - 190

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ACTION

B-33.

U-0086-01 – LAMB BOULEVARD SELF-STORAGE, LIMITED LIABILITY COMPANY ON BEHALF OF CINGULAR WIRELESS

Request for a Special Use Permit FOR A PROPOSED 57 FOOT TALL WIRELESS COMMUNICATION MONOPOLE at 851 North Lamb Boulevard (APN: 140-29-301-004), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

NOTICES MAILED 788

APPROVALS 0

PROTESTS 1 (1 inside radius)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. The communications monopole and its associated equipment and facility shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the communications monopole and its associated equipment.

Truesdell -
ABEYANCE TO THE AUGUST 9, 2001 PLANNING COMMISSION MEETING.

Motion carried with Goynes and Littlefield excused.

ANDREW REED, Planning and Development, stated the elevations indicate the tower will be designed to have sufficient space to accommodate two carriers. Because there are commercial uses adjacent to this property, staff finds the proposed tower is compatible with surrounding development. Staff recommended approval, subject to the conditions.

ROGER SPENCER, Cingular Wireless, 1211 Town Center Drive, Suite 100, appeared to represent the application. There is commercial in the area with a gas station on the northeast and southeast corner of Washington and Lamb. That is a problem for the storage tanks, which they have placed at the southern portion of this property and away from the power lines running along Lamb Boulevard. There was one protest from a lady who lives on the west side because of a concern for her TV and radio. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER QUINN felt this is too close to the residential properties to the east and northeast. CHAIRMAN GALATI concurred but pointed out that there was no one present to protest.

COMMISSIONER BUCKLEY thought there was a high-rise, movie theater, and parking lot next to the wash. He asked if that corner had been considered.

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U-0086-01 – LAMB BOULEVARD SELF-STORAGE, LIMITED LIABILITY COMPANY ON BEHALF OF CINGULAR WIRELESS

MR. SPENCER replied that there is a strip mall, gas station and Jiffy Lube in that location so they would run into some compliance issues with the hazardous materials.

COMMISSIONER TRUESDELL asked about co-locating on power lines.

MR. SPENCER said that would create a problem in accessing their facility. In addition, Nevada Power Company requires a 10-foot separation from any other lines, so then height becomes an issue.

CHAIRMAN GALATI suggested the applicant should investigate the property against the wash at the northeast corner of Washington and Lamb because it is not close to residential.

MR. SPENCER said he would be willing to investigate that site.

CHAIRMAN GALATI felt this item should be held for thirty days.

To be heard by the Planning Commission on August 9, 2001.

(11:07 - 11:14) 4 - 340

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ACTION

B-34.

U-0087-01 - SMART START DAY CARE FACILITY

Request for a Special Use Permit FOR A PROPOSED COMMERCIAL CHILD CARE FACILITY at 1260 West Owens Avenue (APN: 139-21-804-009), R-3 (Medium Density Residential) Zone, Ward 5 (Weekly).

NOTICES MAILED 159 (Mailed with SD-0028-01)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Special Use Permit is not exercised within two years after the approval, this Special use permit shall be void unless an Extension of Time has been granted.

2. All City Code requirements and all City departments' design standards shall be met.

Truesdell -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Motion carried with Goynes and Littlefield excused.**

TROY JESCHKE, Planning and Development, stated this child care center will have a total staff of approximately 25 and total student count of 170. This particular building will have approximately 7 staff members and 60 children. It is a 24-hour operation. This site is being developed in conjunction with an existing child care center located on the parcel directly to the east. However, this development is on a separate parcel and is zoned R-3 (Medium Density Residential). Therefore, a Special Use Permit is required. This use will be a complementary use to the surrounding area by providing a service to the neighboring residents. Staff recommended approval, subject to the conditions.

WILLIA CHANEY, Smart Start Day Care, 1260 West Owens Avenue, appeared to represent the child care facility. She concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER TRUESDELL wondered if there is enough parking for the facility. MR. JESCHKE responded that there is enough parking based on the code requirements for this portion of the site. He visited the site two times and never encountered more than two cars in the parking lot for the existing portion.

CHAIRMAN GALATI felt there could be a bottleneck in regard to the parking on the west side of the parking lot. Perhaps there should be a condition to move the driveway farther west to make the parking lot flow better for drop-offs.

NOTE: See Item No. B-35 for related discussion.

To be heard by the City Council on August 15, 2001.

(11:14 - 11:21) 4 - 580

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ACTION

B-35.

SD-0028-01 - SMART START DAY CARE FACILITY

Request for a Site Development Plan Review and a Reduction in the amount of Required Perimeter Landscaping FOR A PROPOSED 4,000 SQUARE FOOT EXPANSION OF AN EXISTING CHILD CARE FACILITY located at 1260 West Owens Avenue, (APN: 139-21-804-009), R-3 (Medium Density Residential), Size: 0.63 Acre, Ward 5 (Weekly).

NOTICES MAILED 159 (Mailed with U-0087-01)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The site plan shall be revised to depict a minimum 6-foot tall decorative block wall around the outdoor play area.
2. The site plan shall be revised to indicate the building meeting all applicable setbacks of the R-3 (Medium Density Residential) zoning district as set forth in Section 19A.08.040 of the Las Vegas Zoning Code.
3. The landscape plan shall be revised to show a minimum 8-foot wide planter along the entire Owens Avenue frontage. In addition, the planter shall contain minimum 24-inch box evergreen or deciduous trees spaced 20 feet on-center.
4. The remaining undeveloped portion of the site shall have some type of dust mitigation applied to it. However, the use of asphalt materials is strongly discouraged.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS AND ADDITIONAL CONDITION TO WORK WITH STAFF ON THE RELOCATION OF THE WESTERLY DRIVEWAY.

Motion carried with Goynes and Littlefield excused.

TROY JESCHKE, Planning and Development, stated this site plan depicts access from two existing driveways from the existing day care site on Owens Avenue. A standalone 4,000 square foot building is depicted on the eastern end of the site with parking to the south. The submitted elevations depict a two-tone beige stucco building with a raised entry feature, which has a checkerboard pattern and flat roof. The site plan depicts an outdoor play area with a six-foot tall chain link fence around it. Staff discourages the use of a chain link fence and suggests a six-foot high block wall be constructed around the play area. In addition, the building as currently placed does not meet the setbacks of the R-3 (Medium Density Residential) zone. Therefore, there is another condition requiring conformance with the setback requirements. The proposed landscaping is not in conformance with the Urban Design Guidelines and Standards. Therefore, a reduction in the amount of landscaping has been requested. There is sufficient justification for a reduced planter width along Owens Avenue frontage, which would conform with existing approvals to the east. The western portion of this site remains undeveloped, so there is a condition requiring the eight-foot wide landscape planter along Owens Avenue to be extended the entire length of the property. This child care center will be a complementary use. Staff recommended approval, subject to the conditions.

WILLIA CHANEY, Smart Start Day Care, 1260 West Owens Avenue, appeared to represent the child care facility. She concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-34 for related discussion.

To be heard by the City Council on August 15, 2001.

(11:14 - 11:21) 4 - 580

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APPROVED

5. The applicant shall record a Joint Access Agreement, in perpetuity, between this site and the adjoining parcel to the east.

6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

7. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).

8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, or prior to occupancy, whichever occurs first.

10. All City Code requirements and all City departments' design standards shall be met.

11. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

12. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Public Works

13. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

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APPROVED

14. Coordinate with the Collection Systems Section of the Department of Public Works to ensure that this site has a legal sewer connection to Owens Avenue prior to the issuance of any building or grading permits. Comply with the recommendations of the Collection Systems Planning Section.

15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Comply with the recommendations of the Traffic Engineering Representative.

16. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance

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SD-0028-01 - SMART START DAY CARE FACILITY

therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

APPROVED

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-36.

**U-0088-01 - ATLANTIC RICHFIELD COMPANY
ON BEHALF OF UNITED BROTHERS
ENTERPRISES**

Request for a Special Use Permit FOR THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE (AM/PM) at 2320 Fremont Street (APN: 139-35-805-001), C-2 (General Commercial) Zone, Ward 3 (Reese).

NOTICES MAILED 167 (Mailed with SD-0029-01 and V-0044-01)

APPROVALS 0

PROTESTS 1 Speaker

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.
2. Conformance to all other Minimum Requirements under Title 19A.04.050 for the Liquor Establishment (Off-Premise Consumption) use.
3. The sale of individual containers of any size beer, wine coolers, or screw cap wine is prohibited.
4. Approval of this Special Use permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 3 DELETED AND IN ITS PLACE INSERT THE FOLLOWING: THE SALE OF SCREW CAP WINE AND ANY SIZE BEER AND WINE COOLERS IN INDIVIDUAL CANS OR BOTTLES AND PACKAGED OTHER THAN IN ITS ORIGINAL FORM IS PROHIBITED.

Motion carried with Goynes and Littlefield excused.

TROY JESCHKE, Planning and Development, stated the applicant's justification letter states that the intent is to sell beer and wine only. This site is currently developed with a car wash and fueling station. This application for a convenience store will be in addition to uses already existing on the site. Section 19A.04.050 of the Las Vegas Municipal Code established the criteria for the approved with alcohol related uses. The code requires the sale of beer and wine to be a minimum of 400 feet from any church, park, school, synagogue or day care licensed for more than 12 children as measured from property line to property line. In this case there is no protected use known to be within this separation requirement. The proposed sale of beer and wine for off-premise consumption is a typical use that is associated with a convenience store in a commercial area and can be conducted in a manner that is harmonious and compatible with adjacent development. Staff recommended approval, subject to the conditions.

MARC RISMAN, 7251 West Lake Mead Boulevard, 3rd Floor, appeared on behalf of United Brothers Enterprises. This property has been under the ownership of Arco with United Brothers Enterprises as the operator for the last several years. In regard to the sale of beer and wine, Condition No. 3 does not apply in this neighborhood inasmuch as there is a Rite Aid directly across the street where individual containers can be sold. This is an area close to the Castaways Hotel/Casino and several motels. It is well lit. The sale of beer and wine could be a benefit to individuals staying at the motels. This is not a permanent residential area. This would give them a competitive advantage.

CHAIRMAN GALATI declared the Public Hearing open.

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ACTION

**U-0088-01 - ATLANTIC RICHFIELD COMPANY
ON BEHALF OF UNITED BROTHERS
ENTERPRISES**

6. If this Special Use Permit is not exercised within two years after final approval, this Special Use Permit shall be void unless an Extension of Time is granted.

7. All City Code Requirements and all City departments' design standards shall be met.

8. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SD-0029-01).

TODD FARLOW, 240 North 19th Street, appeared in protest. He did not object to the convenience store, just the sale of beer and wine. There are several stores and bars in the area that sell liquor.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER TRUESDELL said his firm manages a property several blocks to the east and there are always broken bottles laying around. He would rather see landscaping than such a wide sidewalk. In regard to the flagpole, Arco has a variety of them on their properties.

MR. RISMAN felt the main problem is the Traffic Impact Analysis, which they will work with staff to resolve. BART ANDERSON, Public Works, said this is a high volume intersection and unique with three roads meeting. A convenience store is a very intense use. However, he would be open to an alternative. COMMISSIONER TRUESDELL felt the requirement for the Traffic Impact Analysis should remain.

ROBERT GENZER, Planning and Development, requested Condition No. 3 be deleted and in its place insert the following: The sale of screw cap wine and any size beer or wine coolers in individual cans or bottles and packaged other than in its original form is prohibited.

NOTE: See Item Nos. B-37 and B-38 for related discussion.

To be heard by the City Council on August 15, 2001.

(11:21 - 11:40) 4 - 830

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ITEM

ACTION

B-37.

**SD-0029-01 - ATLANTIC RICHFIELD
COMPANY ON BEHALF OF UNITED
BROTHERS ENTERPRISES**

Request for a Site Development Plan Review and a Reduction in the amount of Required Perimeter Landscaping FOR A PROPOSED 2,800 SQUARE FOOT CONVENIENCE STORE (AM/PM) at 2320 Fremont Street (APN: 139-35-805-001), C-2 (General Commercial) Zone, Ward 3 (Reese).

NOTICES MAILED 167 [Mailed with U-0088-01 and V-0044-01]

APPROVALS 0

PROTESTS 1 Speaker

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. The landscape plan shall be revised to depict landscaping within tree-wells along the roadway frontages as required by Section DS4 of the Downtown Centennial Plan. The applicant is encouraged to work with staff to satisfy this requirement.

2. The landscape/site plans shall be amended to portray a decorative iron fence installed adjacent to the inside of the landscape planter on the site as required by Section DS3 of the Downtown Centennial Plan. The applicant is encouraged to work with staff to satisfy this requirement.

3. The landscape plan shall be revised to indicate an eleven-foot wide sidewalk and a five-foot wide landscape planter along the entire length of Charleston Boulevard as required by the Downtown Centennial Plan.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS, WORK WITH STAFF ON CONDITION NO. 2, AND CONDITION NO. 3 AMENDED TO ALLOW APPLICANT TO WORK WITH STAFF TO REDUCE THE SIDEWALK AND PROVIDE MORE LANDSCAPING.

Motion carried with Goynes and Littlefield excused.

TROY JESCHKE, Planning and Development, stated the site plan depicts two existing gas canopies with service for 16 vehicles located towards the western portion of the site with the car wash along the northeast corner and the convenience store directly adjacent to the south side of the car wash. Access is proposed from three driveways, one on Charleston Boulevard, one on Fremont Street, and one on Eastern Avenue. The elevations depict a two-tone stucco exterior with a modified mansard tile roof. The existing gas canopies are depicted with a similar design, but with a flat roof. The Las Vegas Redevelopment Plan indicates that this site is a special entry point into the downtown area. Therefore, this property should be subject to the standards of the Redevelopment Plan and of the Downtown Centennial Plan of which this property is also a portion. The building and landscaping will create an aesthetically pleasing development that will provide a positive precedent for the remainder of the area. Staff recommended approval, subject to the conditions.

MARC RISMAN, 7251 West Lake Mead Boulevard, 3rd Floor, appeared on behalf of United Brothers Enterprises. Arco has pulled out a lot of its funding from Nevada, so United Brothers Enterprises will be purchasing this property from Arco and investing money for the development, beautification and upgrading, etc. He objected to the requirement of an iron fence be installed as required in Condition No. 2. His engineers and architect feel that a five-foot wide sidewalk is adequate in this area instead of eleven feet wide as indicated in Condition No. 3. They are willing to work with staff. He requested the Traffic Impact Study be waived.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest.

CHAIRMAN GALATI declared the Public Hearing closed.

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**SD-0029-01 - ATLANTIC RICHFIELD
COMPANY ON BEHALF OF UNITED
BROTHERS ENTERPRISES**

4. Site development shall conform to the submitted plans and elevations, except as amended by conditions.

5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

6. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

8. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

Public Works

9. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the southeast corner of Fremont Street and Eastern Avenue and dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northeast corner of Charleston Boulevard and Eastern Avenue prior to the issuance of any permits. This condition shall not be enforced if the applicant provides proof of existing signage or other private improvements that are intended to remain within the area to be dedicated throughout development of this site.

NOTE: See Item Nos. B-36 and B-38 for related discussion.

To be heard by the City Council on August 15, 2001.

(11:21 - 11:40) 4 - 830

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**SD-0029-01 - ATLANTIC RICHFIELD
COMPANY ON BEHALF OF UNITED
BROTHERS ENTERPRISES**

APPROVED

10. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. If allowed by the City Engineer, improvements along Charleston Boulevard, Fremont Street and Eastern Avenue may be deferred until receipt of a written request from the City for such improvements. If deferral is allowed, the applicant shall sign and record a Covenant Running with Land agreement for the possible future replacement of substandard improvements, including driveways, on Charleston Boulevard, Fremont Street and Eastern Avenue adjacent to this site prior to the issuance of any permits.

11. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All new or modifications to existing driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a. Also, all new or modifications to existing driveways shall receive approval from the Nevada Department of Transportation.

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**SD-0029-01 - ATLANTIC RICHFIELD
COMPANY ON BEHALF OF UNITED
BROTHERS ENTERPRISES**

APPROVED

12. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

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ACTION

**SD-0029-01 - ATLANTIC RICHFIELD
COMPANY ON BEHALF OF UNITED
BROTHERS ENTERPRISES**

APPROVED

13. Landscape and maintain all unimproved rights-of-way on Fremont Street, Eastern Avenue and Charleston Boulevard adjacent to this site.

14. Submit an Encroachment Agreement for all landscaping and private improvements located in the Fremont Street public rights-of-way adjacent to this site prior to occupancy of this site.

15. Submit an application for an Occupancy Permit for all landscaping and private improvements in the Eastern Avenue, Fremont Street and Charleston Boulevard public rights-of-way adjacent to this site prior to the issuance of any permits.

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ITEM

ACTION

B-38.

**V-0044-01 - ATLANTIC RICHFIELD COMPANY
ON BEHALF OF UNITED BROTHERS
ENTERPRISES**

Request for a Variance TO ALLOW A 75 FOOT TALL FLAGPOLE WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE (AM/PM) at 2320 Fremont Street (APN: 139-35-805-001), C-2 (General Commercial) Zone, Ward 3 (Reese).

NOTICES MAILED 167 (Mailed with U-0088-01 and SD-0029-01)

APPROVALS 0

PROTESTS 1

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. If this Variance is not exercised within two years of approval, this Variance shall be void unless an Extension of Time is granted.
2. Approval of and conformance to the Conditions of Approval for Special Use Permit (U-0088-01) and Site Development Plan Review (SD-0029-01).

Truesdell -
DENIED

Motion carried with Goynes and Littlefield excused.

TROY JESCHKE, Planning and Development, stated the applicant's justification letter states that this flagpole is an Arco corporate standard design. Section 19A.14.120 of the City of Las Vegas Zoning Code provides that flags of the United States are exempt from regulation by the code when the flag is flown at a height of less than 40 feet. This request exceeds the height limitation by 35 feet. Arco has other flagpoles that are taller than this within the City of Las Vegas. However, there is no evidence of any unique or extraordinary circumstance and the applicant is creating a self-imposed hardship. Staff recommended denial.

MARC RISMAN, 7251 West Lake Mead Boulevard, 3rd Floor, appeared on behalf of United Brothers Enterprises. Arco has 70 and 75-foot high flagpoles at two other locations in the valley.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-36 and B-37 for related discussion.

This is final action.

(11:21 - 11:40) 4 - 830

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ITEM

ACTION

B-39.

U-0094-01 - AMERICAN STORES PROPERTIES, INC.

Request for a Special Use Permit FOR A SERVICE STATION (GASOLINE SALES) IN CONJUNCTION WITH A PROPOSED FUELING STATION (ALBERTSON'S EXPRESS) on the northeast corner of Vegas Drive and Buffalo Drive (APN: 138-22-418-001), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

NOTICES MAILED 702 [Mailed with Z-0097-90(8)]

APPROVALS 1 Speaker

PROTESTS 5

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Underground fuel storage tanks and associated pipelines shall be of double-wall construction or shall incorporate a form of "secondary containment" to limit the potential releases of fuel to the environment.

2. The gas station shall also incorporate a continuous leak detection system to monitor for potential fuel releases.

Planning and Development

3. If this Special Use Permit is not exercised within two years of this approval, the Special Use Permit shall be void unless an Extension of Time is granted.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Goynes and Littlefield excused.

TROY JESCHKE, Planning and Development, stated gasoline sales is within the range of permitted uses with a Special Use Permit approval in the existing C-1 (Limited Commercial) zoning of the site. Las Vegas Municipal Code Section 19A.04.050 stipulates base requirements for a service station. Pump islands shall be located a minimum of 20 feet from a right-of-way line and the canopy or roof structure over the pump island may be no closer than 10 feet from the right-of-way line. Secondly, any noise or bells from loud speakers shall be audible beyond the property lines at any time. The site plan depicts the pump islands approximately 55 feet from Vegas Drive and 65 feet from Buffalo Drive with no loud speakers or bells. Therefore, this use will be consistent with that requirement. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor

TODD FARLOW, 240 North 19th Street

RICHARD STEVENS, 7509 Council

SAM BADOE, 7529 Pacific Heights Avenue

TERESA PASZEK, 7529 Pacific Heights Avenue

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-40 for related discussion.

To be heard by the City Council on August 15, 2001.

(11:40 - 11:56) 4 - 1520

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ITEM

ACTION

B-40.

Z-0097-90(8) - AMERICAN STORES PROPERTIES, INC.

Request for a Site Development Plan Review FOR A PROPOSED FUELING STATION (ALBERTSON'S EXPRESS) on the northeast corner of Vegas Drive and Buffalo Drive (APN: 138-22-418-001), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

NOTICES MAILED 702 (Mailed with U-0094-01)

APPROVALS 1 Speaker

PROTESTS 5

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Site development shall conform to the submitted plans and elevations, except as amended by conditions.
2. The site landscaping shall be amended to reflect conformance with the submitted landscape plans (i.e. removal of the turf).
3. The elevations for the gasoline canopy shall be revised to depict a mansard roof element with a vertical change of at least two feet, featuring concrete tile roofing material.
4. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
5. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C). In addition, all lighting on the underside of the gasoline canopy shall be fully recessed.

Truesdell -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Motion carried with Goynes and Littlefield excused.**

TROY JESCHKE, Planning and Development, stated this site is being located within a portion of a commercial center. The fueling station is on the southwest corner of the site directly adjacent to the intersection of Buffalo Drive and Vegas Drive. The fueling station will be constructed facing Buffalo Drive with 8 fueling islands and a small pay kiosk to the east of the pumps. The elevations depict a 21-foot tall fuel canopy and a 10 foot tall pay kiosk. The kiosk will consist of white stucco and contrasting gray stucco along the bottom of the wall. The elevations for the canopy are plain in contrast to the Albertson's grocery store. Therefore, they should be revised to depict a modified mansard roof element with concrete tile roof. Staff recommended approval, subject to the conditions.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent Albertson's. This is an existing commercial shopping center that is under development and already existing are Albertson's and Sav-on that are open. There have been a couple of meetings with the neighbors in this area. Originally they were proposing to come in with one of the new concepts with the Albertson's Express with the convenience store and the gasoline sales. However, after receiving input from the majority of the neighbors, they have agreed to do the fueling station. That is a compatible use and controlled and run by Albertson's/Sav-On. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. He felt the roof should blend with the existing building.

RICHARD STEVENS, 7509 Council, appeared in protest. He was told in the beginning this would just be a kiosk, not a major gas station. There is a proliferation of gas stations in the area.

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ITEM

ACTION

Z-0097-90(8) - AMERICAN STORES PROPERTIES, INC.

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

7. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

8. Conformance to all applicable Conditions of Approval for Rezoning (Z-0097-90), Site Development Plan Review [Z-0097-90(5)] and all other subsequent site-related actions as required by the Department of Public Works and the Planning and Development Department.

Public Works

9. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

SAM BADOE, 7529 Pacific Heights Avenue, appeared in protest. A similar proposal has been defeated in the past. There are enough gas stations in the area already. Since Albertson's opened the area between Washington and Lake Mead on Buffalo has seen an increase in traffic of 20%, which is an additional 9,300 vehicles every day. There are a lot of accidents in this area already. This gas station is right across the street from a bus stop. He had not received a notice to meet with anyone in regard to this proposal. The noise is already unbearable.

TERESA PASZEK, 7529 Pacific Heights Avenue, appeared in protest.

CHAIRMAN GALATI declared the Public Hearing closed.

ATTORNEY GRONAUER appeared in rebuttal. Buffalo is a 100-foot wide right-of-way. A site plan was approved in 1998 on this property. The neighbors that are in opposition live farther east of the Albertson's/Sav-On. They are proposing the gasoline kiosk as far away as possible from the residential development. There are some issues with the block wall on the east side of this property. They are working with Councilman Larry Brown's office in respect to repairing the wall and doing some landscaping. They will be taking out the natural turf and putting in desert landscaping.

COMMISSIONER TRUESDELL clarified with the applicant that they will change the roofline on the gasoline canopy. He felt this is an appropriate use.

CHAIRMAN GALATI pointed out that gas stations are located where there already is traffic.

NOTE: See Item No. B-39 for related discussion.

To be heard by the City Council on August 15, 2001.

(11:40 - 11:56)

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ITEM

ACTION

**Z-0097-90(8) - AMERICAN STORES
PROPERTIES, INC.**

APPROVED

10. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

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ITEM

ACTION

B-41.

**U-0095-01 - CENTERPOINT PLAZA COMPANY
ON BEHALF OF ALBERTSON'S**

Request for a Special Use Permit FOR THE SALE OF PACKAGED LIQUOR FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH AN APPROVED GROCERY STORE (ALBERTSON'S) on the northeast corner of Charleston Boulevard and Town Center Drive (APN: 137-36-814-001), PC (Planned Community) Zone, Ward 2 (L.B. McDonald).

NOTICES MAILED 191 (Mailed with U-0096-01, U-0097-01 and U-0098-01)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all other Minimum Requirements under Title 19A.04.050 for the Liquor Establishment (Off-Premise Consumption) use.

2. This Special Use Permit shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. All City Code requirements and design standards of all City departments must be satisfied.

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. The sale of individual containers of any size beer, wine coolers, or screw cap wine is prohibited.

6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 5 DELETED.

Motion carried with McSwain abstaining because her firm is under contract with Centerpoint Plaza Company and Truesdell abstaining inasmuch as he has an ongoing relationship with the developer

TROY JESCHKE, Planning and Development, stated he will make a staff presentation on the four Centerpoint Plaza Company applications at one time. These applications are located within the Centerpoint Plaza Commercial development. The site is zoned PC (Planned Community). The Summerlin development standards manual designates this site as EC (Employment Center). The sale of packaged liquor and associated gambling in conjunction with the grocery store and drug store is an allowable use with approval of this Special Use Permit. This development is compatible with the commercial development occurring along this portion of Charleston Boulevard. Staff recommended approval, subject to the conditions with Condition No. 5 deleted as it does not apply to this application.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent Albertson's/Sav-on. This is a beautiful project. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER QUINN wondered if the condition involving the sale of beer and wine is going to continue as it has not been used as much recently. ROBERT GENZER, Planning and Development, said that condition never disappeared, but has been used in some wards more than others. It is used universally for convenience stores and it is at the discretion of the Council members as to whether they want to continue using it in their wards.

NOTE: See Item Nos. B-42, B-43 and B-44 for related discussion.

To be heard by the City Council on August 15, 2001.

(11:56 - 12:02) 4 - 2190

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ITEM

ACTION

B-42.

**U-0096-01 - CENTERPOINT PLAZA COMPANY
ON BEHALF OF ALBERTSON'S**

Request for a Special Use Permit FOR GAMING IN CONJUNCTION WITH AN APPROVED GROCERY STORE (ALBERTSON'S) on the northeast corner of Charleston Boulevard and Town Center Drive (APN: 137-36-814-001), PC (Planned Community) Zone, Ward 2 (L.B. McDonald).

NOTICES MAILED 191 (Mailed with U-0095-01, U-0097-01 and U-0098-01)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Special Use Permit is not exercised within two years after this approval, this Special Use Permit shall be void unless an Extension of Time is granted.

2. All City Code Requirements and all City departments' design standards shall be met.

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining because her firm is under contract with Centerpoint Plaza Company and Truesdell abstaining inasmuch as he has an ongoing relationship with the developer

CHAIRMAN GALATI declared the Public Hearing open.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-41, B-43 and B-44 for related discussion.

To be heard by the City Council on August 15, 2001.

(11:56 - 12:02) 4 - 2190

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-43.

**U-0097-01 - CENTERPOINT PLAZA CO. ON
BEHALF OF ALBERTSON'S**

Request for a Special Use Permit FOR THE SALE OF PACKAGED LIQUOR FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH AN APPROVED DRUG STORE (SAV-ON) on the northeast corner of Charleston Boulevard and Town Center Drive (APN: 137-36-814-001), PC (Planned Community) Zone, Ward 2 (L.B. McDonald).

NOTICES MAILED 191 (Mailed with U-0095-01, U-0096-01 and U-0098-01)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all other Minimum Requirements under Title 19A.04.050 for the Liquor Establishment (Off-Premise Consumption) use.
2. The sale of individual containers of any size beer, wine coolers, or screw cap wine is prohibited.
3. Approval of this Special Use permit does not constitute approval of a liquor license.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
5. If this Special Use Permit is not exercised within two years after final approval, this Special Use Permit shall be void unless an Extension of Time is granted.

Buckley -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH
CONDITION NO. 2 DELETED.**

Motion carried with McSwain abstaining because her firm is under contract with Centerpoint Plaza Company and Truesdell abstaining inasmuch as he has an ongoing relationship with the developer

TROY JESCHKE, Planning and Development, stated he will make a staff presentation on the four Centerpoint Plaza Company applications at one time. These applications are located within the Centerpoint Plaza Commercial development. The site is zoned PC (Planned Community). The Summerlin development standards manual designates this site as EC (Employment Center). The sale of packaged liquor and associated gambling in conjunction with the grocery store and drug store is an allowable use with approval of this Special Use Permit. This development is compatible with the commercial development occurring along this portion of Charleston Boulevard. Staff recommended approval, subject to the conditions with Condition No. 2 deleted.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent Albertson's/Sav-On. This is a beautiful project. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER QUINN wondered if the condition involving the sale of beer and wine is going to continue as it has not been used as much in the past. ROBERT GENZER, Planning and Development, that condition never disappeared, but has been used in some wards more than others. It is used universally for convenience stores and it is at the discretion of the Council members as to whether they want to continue using it in their wards.

NOTE: See Item Nos. B-41, B-42 and B-44 for related discussion.

To be heard by the City Council on August 15, 2001.

(11:56 - 12:02) 4 - 2190

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ITEM

ACTION

**U-0097-01 - CENTERPOINT PLAZA CO. ON
BEHALF OF ALBERTSON'S**

APPROVED

6. All City Code Requirements and all City departments' design standards shall be met.

7. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0135-93) and Site Development Plan Review (SV-0007-00).

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ITEM

ACTION

B-44.

**U-0098-01 - CENTERPOINT PLAZA COMPANY
ON BEHALF OF ALBERTSON'S**

Request for a Special Use Permit FOR GAMING IN CONJUNCTION WITH AN APPROVED DRUG STORE (SAV-ON) on the northeast corner of Charleston Boulevard and Town Center Drive (APN: 137-36-814-001), PC (Planned Community) Zone, Ward 2 (L.B. McDonald).

NOTICES MAILED 191 (Mailed with U-0095-01, U-0096-01 and U-0097-01)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Special Use Permit is not exercised within two years after this approval, this Special Use Permit shall be void unless an Extension of Time is granted.

2. All City Code Requirements and all City departments' design standards shall be met.

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining because her firm is under contract with Centerpoint Plaza Company and Truesdell abstaining inasmuch as he has an ongoing relationship with the developer

CHAIRMAN GALATI declared the Public Hearing open.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-41, B-43 and B-44 for related discussion.

To be heard by the City Council on August 15, 2001.

(11:56 - 12:02) 4 - 2190

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ITEM

ACTION

B-45.

Z-0016-00(1) - D.R. HORTON INC.

Request for a Review of Condition No. 17 on an Approved Rezoning WHICH REQUIRED A REAR SETBACK OF 18 FEET FOR ALL LOTS ADJACENT TO ELKHORN ROAD OR BRADLEY ROAD (THE APPLICANT IS REQUESTING A REAR SETBACK OF 16 FEET) at 5204 Pacific Opal Avenue, (APN: 125-24-510-074) R-1 (Single Family Residential) Zone, Ward 6 (Mack).

NOTICES MAILED 55

APPROVALS 0

PROTESTS 1 (1 inside radius)

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. *Condition 3 shall be amended as follows:*
Rear setbacks shall be a minimum of 18 feet on all lots (excluding Lot 7 of Block 1) with adjacency to Bradley Road and Elkhorn Road. The rear setback for Lot 7 of Block 1 shall be 16 feet.

2. Site Development to comply with all applicable Conditions of Approval of Zoning Reclassifications Z-0016-00 and all other subsequent site-related actions as required by the Department of Public Works and the Planning and Development Department.

3 All City Code requirements and design standards of all City departments must be satisfied.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining inasmuch as this involves a client of his law firm.

ANDREW REED, Planning and Development, stated that because of the shape and width of Lot 7 in Block 1, the applicant is requesting a reduction to 16 feet of the rear setback for that lot. This setback change will not adversely affect adjacent properties. In addition, the proposed setback change will not obstruct visibilities so that it will not compromise public safety. Staff recommended approval, subject to the condition.

RON JACKSON, Southwest Engineering, 3610 North Rancho Drive, appeared to represent the applicant. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on August 15, 2001.

(12:03 - 12:06) 4 - 2500

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ITEM

ACTION

C.

NON PUBLIC HEARING ITEMS:

C-1.

Z-0026-91(16) - GREG L. WILDE

Request for a Site Development Plan Review and a Reduction in the amount of Required Perimeter Landscaping FOR A PROPOSED 2,500 SQUARE FOOT OFFICE BUILDING at 212 South Jones Boulevard (APN: 138-36-112-012), R-1 (Single Family Residential) under Resolution of Intent to P-R (Professional Office and Parking), Ward 1 (M. McDonald).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The site plan shall be revised to indicate a handicap accessible parking space that is in conformance with the provisions of Section 19A.10.010(G) of the Las Vegas Zoning Code. In addition, the handicap accessible parking space shall be relocated to the front (west side) of the building.

2. The landscaping plan shall be amended to depict a minimum 8-foot wide landscape planter along the entire southern property line, with the exception of the rear 44 feet.

3. A detailed landscape plan indicating the quantity and types of landscape materials shall be reviewed and approved by staff prior to the issuance of any building permits.

4. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 2 AMENDED TO DEPICT A MINIMUM OF A 7-FOOT WIDE LANDSCAPE PLANTER INSTEAD OF 8 FEET.

Motion carried with Goynes and Littlefield excused.

TROY JESCHKE, Planning and Development, stated access to this site is from one existing shared driveway of Jones Boulevard. Two parking spaces are shown in the front of the building and seven spaces in the rear. The building elevations depict a light beige stucco building with dark beige fascia. The building will feature a flat roof and have a raised decorative feature over the entrance. The handicapped accessible parking is not in conformance with the Zoning Code requirements. Therefore, there is a condition requiring that a handicapped space be moved to the front of the building and revised to meet the design standards of the code. The landscaping does not conform to the Urban Design Guidelines and Standards and therefore a reduction in the amount of required landscaping has been requested. There is sufficient justification for the reduction because the landscaping that is proposed is consistent with other approvals along this portion of Jones Boulevard. Staff recommended approval, subject to the conditions.

GREGORY L. WILDE, 212 South Jones Boulevard, requested that the landscaping be reduced to seven feet between the property line to the south and the building. That would provide a more uniform look for the front of the building. He submitted photos of properties to the north. This will be the same color and have the same type of landscaping as those properties. It will not impact the traffic.

MR. JESCHKE said staff would allow the seven feet of landscaping on the south property line. However, a landscape plan should still be submitted.

To be heard by the City Council on August 15, 2001.

(12:06 - 12:11) 4 - 2600

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Z-0026-91(16) - GREG L. WILDE

APPROVED

5. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

6. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.

7. All City Code requirements and design standards of all City departments must be satisfied.

8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

9. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

10. All walls that are less than 20 feet from a property line are required to be 1-hour fire rated and the interior of the building shall comply with all commercial building standards as required by the Department of Building and Safety.

11. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

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Z-0026-91(16) - GREG L. WILDE

APPROVED

12. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

Public Works

13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site.

14. The proposed driveway access, on-site circulation and parking lot layout shall meet the approval of the Traffic Engineering Representative in Land Development prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways should be designed, located and constructed to meet the intent of Standard Drawing #222a.

15. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits for this site.

16. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact

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Z-0026-91(16) - GREG L. WILDE

Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

17. If on-street parking is not already prohibited adjacent to this site, submit a written request to the Traffic and Parking Commission to eliminate on-street parking on Jones Boulevard adjacent to this site.

18. Hard Surface (*if allowed by Planning and Development*) and/or landscape all unimproved right-of-way, if any unimproved area exists, on Jones Boulevard adjacent to this site prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

APPROVED

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Z-0026-91(16) - GREG L. WILDE

19. Obtain an Occupancy Permit for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site.

20. Site development to comply with all applicable Conditions of Approval for Z-0026-91, all other subsequent site-related actions, and the Conditions of Approval of the approved Traffic Impact Analysis for Jones Boulevard, Upland Boulevard to Evergreen Avenue.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

APPROVED

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ITEM

ACTION

C-2.

Z-0076-98(21) - ROME 13.75 ET AL, LIMITED LIABILITY COMPANY

Request for a Site Development Plan Review FOR A MODIFICATION OF AN APPROVED SITE PLAN TO CHANGE THE BUILDING FOOTPRINTS AND PAD LOCATIONS on the west side of John Herbert Boulevard, between Buffalo Drive and Sky Pointe Drive (APN's: 125-21-801-003 004, 012, 015 & 017), TC (Town Center) Zone, Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The parking spaces in the east side of the site, adjacent to a main drive located in front of the store designated as "Vons", shall be deleted.
2. Conformance to the approved landscaping plan of Site Development Plan Review of Z-0076-98(10).
3. Conformance to the approved elevation drawings of Site Development Plan Review of Z-0076-98(10).
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
5. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 1 AMENDED TO STATE REMOVAL OF THE PARKING SPACES IN THE FRONT OF THE BUILDINGS PURSUANT TO TOWN CENTER PARKING STANARDS.

Motion carried with McSwain voting No.

ANDREW REED, Planning and Development, stated this site plan is similar to what was approved by the Planning Commission and City Council. The prior site plan depicted four pads with three along Sky Pointe Drive and one along Buffalo Drive. The revised plan shows three pads concentrated at the intersection of John Herbert Boulevard and Sky Pointe Drive. The new plan also portrays a revised parking layout that includes spaces that are immediately adjacent to the retail stores in the east portion of the site. The revised pad locations are appropriate, but the parking spaces on the east side of the site adjacent to a main drive are poorly located. The length of the drive will encourage high speeds, which would create conflicts with vehicles entering and exiting the parking spaces. Staff recommended approval, subject to the conditions.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent the applicant. They would like to have Condition No. 1 amended to state that they need to comply with the Town Center parking standards or it could state remove the parking spaces in the front of the buildings pursuant to Town Center parking standards.

MR. REED said staff prefers Condition No. 1 remain as written.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

LOUISE RUSKAMP, 8500 Log Cabin Way
TODD FARLOW, 240 North 19th Street
CAROL LeDUC, 7575 Rome Boulevard
STEPHEN REILLY, 7000 Steeple Court

CHAIRMAN GALATI declared the Public Hearing closed.

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ACTION

Z-0076-98(21) - ROME 13.75 ET AL, LIMITED LIABILITY COMPANY

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

10 A Master Sign Plan shall be submitted for approval of Planning Commission and City Council prior to the issuance of a Certificate of Occupancy for any building on the site.

11 All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

13. All City Code requirements and design standards of all City departments must be satisfied.

NOTE: See Item No. B-10 for related discussion.

To be heard by the City Council on August 15, 2001.

(7:28 - 7:54) 1 - 3510

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ACTION

**Z-0076-98(21) - ROME 13.75 ET AL, LIMITED
LIABILITY COMPANY**

APPROVED

Public Works

14. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to development of this site. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved drainage plan/study. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site if allowed by the Planning Engineer.

15. Site development to comply with all applicable previous Conditions of Approval for Zoning Reclassification Z-76-98, the Buffalo/95 Regency Commercial Subdivision and all subsequent site-related actions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

C-3.

SD-0031-01 - NATHAN AND COMFORT OZOBIA

Request for a Site Development Plan Review and a Reduction in the amount of Required Perimeter Landscaping FOR A PROPOSED 1,600 SQUARE FOOT ADDITION TO AN EXISTING PROFESSIONAL OFFICE at 2501 West Charleston Boulevard (APN: 162-05-511-009), P-R (Professional Office and Parking) Zone, Ward 1 (M. McDonald).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Revise the site plan to either relocate or eliminate (subject to reduction in building square footage) the parking space perpendicular to Charleston Boulevard.
2. Revise the landscape plan to indicate 24-inch box trees planted thirty feet on-center along the east property line. All shrubs and groundcover shall conform to the Las Vegas Urban Design Standards and Guidelines.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Goynes and Littlefield excused.

TROY JESCHKE, Planning and Development, stated access to this site will be from one driveway onto Charleston Boulevard. The existing office building is located towards the north end of the site with the proposed office addition directly to the south. Three parking spaces are located in the front of the building and seven additional spaces are located in the rear. The building elevations will consist of a range of light and dark stucco siding with terra cotta barrel rolled tile roofing. The site plan depicts an orderly layout with consideration to the site size. The request for the reduction in the amount of perimeter landscaping is appropriate because the landscaping proposed is consistent with other portions of Charleston Boulevard. The proposed addition and remodel of the existing office building will be an improvement over what currently exists on the site and will be compatible with adjacent development with implementation of the conditions. Staff recommended approval, subject to the conditions.

NATHAN OZOBIA, 1533 Westwood Drive, said he will comply with staff's conditions.

This is final action.

(12:11 - 12:13) 4 - 2884

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ACTION

**SD-0031-01 - NATHAN AND COMFORT
OZOBIA**

APPROVED

5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license].

6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

9. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

10. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site.

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**SD-0031-01 - NATHAN AND COMFORT
OZOBIA**

APPROVED

11. The proposed driveway access, on-site circulation and parking lot layout shall meet the approval of the Traffic Engineering Representative in Land Development prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a unless otherwise allowed by the Traffic Engineer. Also, all new or modifications to existing driveways shall receive approval from the Nevada Department of Transportation.

12. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel(s) to the east and or west prior to the issuance of any permits for this site.

13. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance

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**SD-0031-01 - NATHAN AND COMFORT
OZOBIA**

therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

14. Obtain an Occupancy Permit for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

APPROVED

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ACTION

C-4.

SD-0036-01 - SEUNG HWAN & EUN JOO HAN

Request for a Site Development Plan Review and a reduction in the amount of required perimeter landscaping FOR A PROPOSED FULL SERVICE CAR WASH IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE at 1550 West Oakey Boulevard (APN: 162-04-605-008), M (Industrial) Zone, Ward 3 (Reese).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Revise the site plan to indicate any proposed vacuums and drying areas and provide one handicap accessible parking space that complies with Title 19A standards.
2. Revise the landscape plan to provide a minimum five-foot wide planter along perimeter of property, where feasible. The landscape planters shall include 24-inch box trees spaced twenty feet on center along the Western Avenue and Oakey Boulevard frontages and 24-inch box trees spaced thirty feet on center along the side and rear property lines. All landscaping, shrubs, and groundcover shall adhere to the Las Vegas Urban Design Standards and Guidelines.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 2 AMENDED TO ALLOW APPLICANT TO WORK WITH STAFF ON LANDSCAPING.

Motion carried with Goynes and Littlefield excused.

TROY JESCHKE, Planning and Development, stated the site plan depicts a full service car wash structure on the eastern portion of the site. An existing convenience store and fueling station are developed on the western portion of the site. The elevations for the car wash show a teal framed glass building with a pitched transparent roof. This location is functional in regard to accessibility and circulation. The handicapped parking space that is provided is not in compliance with the standards of Title 19A. Staff has added a condition requiring the redesign of the handicapped space to be in conformance with the Zoning Code requirements. The landscape plan does not depict any additional landscaping in this request. There is sufficient justification for a partial deviation because of the unique shape of the parcel and the existing uses on the site. There is a condition requiring a minimum five-foot wide landscape planter adjacent to all site perimeters where feasible. The design and materials of the car wash will be compatible with the development along Oakey and Western Avenue frontages and is appropriate with other development in the area. Staff recommended approval, subject to the conditions.

SEUNG HWAN HAN, 1550 West Oakey Boulevard, said he would like to have a reduction of the required landscaping. Along the property line is paving. On the north side of the property is a block wall.

CHAIRMAN GALATI noted there is not a lot of space to put landscaping without tearing up driveways. Perhaps the applicant should work with staff on the landscaping. MR. JESCHKE said that would be acceptable.

This is final action.

(12:13 - 12:21) 4 - 3000

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SD-0036-01 - SEUNG HWAN & EUN JOO HAN

APPROVED

6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

7. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

8. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

9. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. (Public Works)

10. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. The two (existing) eastern most driveways along Oakey Boulevard shall be removed and replaced with a single driveway that shall be designed, located and constructed to meet the intent of Standard Drawing #222a. (Public Works)

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SD-0036-01 - SEUNG HWAN & EUN JOO HAN

APPROVED

11. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

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SD-0036-01 - SEUNG HWAN & EUN JOO HAN

APPROVED

12. A Drainage Plan and Technical Drainage Study or other information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ACTION

C-5.

SD-0041-01 - JUAN R. ACOSTA

Request for a Site Development Plan Review, a Waiver in the Amount of Required Landscaping and a Waiver of the Standards of the Downtown Centennial Plan FOR A PROPOSED WOOD PALLET BUSINESS on the northwest corner of Utah Street and Commerce Avenue (APN: 162-04-607-018), M (Industrial) Zone, Ward 3 (Reese).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This approval constitutes a waiver of the landscaping standards of the Downtown Centennial Plan.
2. The sidewalk and decorative corner detail shall comply with the 4th Street standards, including color stain.
3. Thirty-six inch box Rio Grande Ash trees shall be provided at a spacing of 15 feet on center within streetscape planters (as required by the Downtown Centennial Plan) along the Utah Avenue right-of-way.
4. The decorative block walls depicted on the south and east property lines shall also be continued on the north and west property lines.
5. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
6. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 4 DELETED AND ADDITIONAL CONDITIONS LIMITING THE HEIGHT OF THE PALLETS TO BE STACKED.

Motion carried with Goynes and Littlefield excused.

ANDREW REED, Planning and Development, stated this .36-acre parcel is currently undeveloped. The applicant is proposing to pave the entire parcel and operate a wood pallet business. Access to this site is via a gated driveway to Utah and Commerce Streets. An 8 foot by 12 foot trailer will placed in the southwest portion of the site and used as an office. A block wall six feet in height and topped by two feet of wrought iron is shown along the south and east property lines adjacent to the abutting streets. Trees and accent paving that are similar to those that exist along 4th Street north of Charleston Boulevard are shown along Commerce Street and Utah Avenue. The decorative block wall on the south and east property lines should be continued on the north and west property lines. The Downtown Centennial Plan requires that all new developments provide and install 4th Street style fixtures on all adjacent rights-of-way. Therefore, staff has included a condition requiring that the sidewalk and decorative corner detail comply with 4th Street standards including color stain. Handicapped accessible ramps should also be provided at the corner per the Department of Public Works standards. Staff is currently working on revisions to the Downtown Centennial Plan that would eliminate the requirements for landscaping in the industrial areas that are primarily located on the south side of Charleston Boulevard.

Finally, staff notes that the tree planters along the adjacent streets are shown with palm trees spaces at approximately 35 feet on center. That is appropriate for the north/south property lines; however, the Centennial standards require the east/west property lines include 36 inch box shade trees to be provided at 15 feet on center. There is a condition addressing this issue.

An employee from the City's Neighborhood Response Office said they have had experience reviewing these wood pallet businesses and have requested two additional conditions:

1. This approval limited just to the storage of wood pallets, no repair or construction of wood pallets.
2. Stacking of pallets not exceed height of wall.

Staff recommended approval, subject to the conditions.

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7. Lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

9. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

10. Construct all incomplete half-street improvements on Commerce Street and Utah Avenue adjacent to this site concurrent with development of this site.

11. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

12. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All driveways shall be designed, located and constructed to meet current City Standards.

GIL MONREAL, 6080 Harrison Drive, appeared to represent the applicant. He was unaware of the two additional conditions. The decorative block wall will be split face with decorative accents and decorative wrought iron on top. The west and north property line wall will be used in more of a utilitarian manner. On the west side is an industrial building where there is a 12 foot high wall. To the north is an existing storage yard. Those walls could just be plain block. The business consists of shipping pallets to California for customers and performing minor repair on them. The entire area is industrial.

MR. REED responded that staff would not object to a plain block wall on the north and west property lines. In regard to the outside repair there would be a noise issue.

CHAIRMAN GALATI did not feel the noise issue would be a concern since there are other businesses that generate noise. He objected to stacking the pallets higher than the fence.

This is final action.

(12:21 - 12:30) 4 -3430

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APPROVED

13. The proposed entry gates shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before stopping to operate the gate. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.

14. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance

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therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

15. Landscape and maintain all unimproved rights-of-way on Commerce Street and Utah Avenue adjacent to this site.

16. Obtain an encroachment agreement for all landscaping and private improvements in the Commerce Street and Utah Avenue public rights-of-way adjacent to this site prior to the issuance of any permits.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

APPROVED

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D.

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

There was no one present wishing to speak under this portion of the agenda.

ADJOURNMENT:

There being no further business to come before the City Planning Commission, the meeting adjourned at 12:30 A.M.

PLANNING AND DEVELOPMENT DEPARTMENT

/lo

LINDA OWENS, DEPUTY CITY CLERK